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CONCEPTS OF PUBLIC OPINION

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I. THE CONCEPTUAL APPROACH TO PUBLIC OPINION

Public opinion in democracies should be the final element in political life which gives significance to the activity of the state and the fact of membership in it. The recognition of the force of opinion implies that in the overflowing of the individual's will to his neighbor's will, in the desire to administer the things common to wills, we have perhaps one of the most basic psychological foundations of the state.[1] While one may contend that the problems of the nature of the state or of jurisprudence are more than adequately conceptualized, this certainly cannot be said of public opinion. Yet since the very early use of the term by John of Salisbury in 1159, its significance in human history has not been less than that of justice, liberty, or law.[2] It is suggested that a statement of the elements which appear to be universal is the proper first step in the scientific study of public opinion. The method here proposed may seem barren of immediate results, but it is necessary to clarify reasoning on public opinion as force-ideas[3] in political history. Commonly understood abstractions are necessary to pave the way for organized thinking and action.

It is clear that emphasis on public opinion is a comparatively late development in the history of the state. Public order, as Dean Pound has observed, is the first interest of primitive law and government.[4] Public order in a primitive community is essentially

[1] W. E. Hocking, *Man and the State* (New Haven, 1926), Part III.

[2] *The Statesman's Book of John of Salisbury*, trans. and ed. by John Dickinson (New York, 1927), pp. xxii, 39, 130.

[3] Alfred Fouillée, "Synthesis of Idealism and Naturalism," *Modern French Legal Philosophy* (Boston, 1916), p. 179,

[4] Roscoe Pound, *An Introduction to the Philosophy of Law* (New Haven, 1922), p. 72.

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an objective factor, opinion itself having little significance. Public opinion became important when in later state development political opinions were weighted with value as determinants of governmental conduct. If public opinion is to be accepted finally as a political force, we must believe that opinion has value in itself. A pragmatic test of policy is therefore a part of the theory of public opinion.

II. THE PUBLIC

The public is the *bête noir* of public opinion, since writers have for it a deeply critical attitude. Yet a clear notion of the meaning of the public is essential to lucid thinking about public opinion, for otherwise opinion has no political significance. One may assume either a political and legal or a psychological and sociological conception of the public. Owing to the fact that public opinion itself is a concept developed intimately with democratic theory, the public should also be a legal and governmental concept.[5] The sociological concept starts with groups and the action of groups, and it uses the idea of the public to explain the formation, control, extent, and content of opinion. A separate concept will be developed to cover the expression of opinion which involves the relation of opinion, public, and government.[6]

Two significant concepts of the public have been presented by Lowell and Lippmann. Lowell believes the public to be those who are willing to abide by the decision of the majority. He discusses the conditions necessary to the existence of the public, the most important being a certain basic homogeneity of view and the treatment of questions where decision by political action is possible. Lippmann agrees with Lowell to the extent that the essential problem of the public is participation,[7] but he stresses the in-

[5] The idea of public law as related to the structure and function of government is of value in this connection. Sociological definitions of law, as in the works of Duguit, break down the historic distinction between public and private law. The principles of the public are to be properly drawn from public law.

[6] Early American tradition thought of the people as distinct from the public. The people, though they might not have the right to vote or hold office, could participate in government ultimately by the right of revolution. See J. A. Smith, *Growth and Decadence of Constitutional Government* (New York, 1930), pp. 14–15, 172–175. The right of revolution complemented a restricted political participation. As the right of revolution is discredited, people and public have been assimilated, confusing the nature of the public. People is a political concept implying allegiance.

[7] See A. L. Lowell, *Public Opinion and Popular Government* (New York, 1913), and Walter Lippmann, *The Phantom Public* (New York, 1925). Lowell's idea that

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effectiveness of the masses in dealing with the "unseen environment" and proposes a set of canons as to the activity of the public. A public consists of those who are spectators, who are not judges of the merits of a question, and who are interested chiefly in making certain "rules of the game" and in obedience to those rules by the parties to a dispute.

A number of views as to the nature of the public are possible. The public may be those who can influence the conduct of government. This is essentially a sociological theory, in which groups are of the greatest importance, and finally it must resolve itself into a study of the formation of opinion and the action of weighted groups. It is a statement of the importance of the expression of opinion, but as a concept of the public it is not as basic as the idea of participation. A converse proposition, in which participation is eliminated, is that the public consists of those upon whom the incidence of governmental action falls.[8] Such a concept is without the emphasis required by democratic theory, for opinion as a system of force-ideas requires participation as an indispensable theoretical element.

A narrower statement which contains this feature by implication is that the public is a body of persons owing allegiance to the state, or perhaps the citizens of a state, or those who have a legal duty of obedience.[9] There is something to be said for this view, though it would be difficult so to associate such a public with opinion as to derive the modern notion of public opinion. It is hardly necessary to discuss here the sense in which a journalist refers to the public in regard to the press—the public consists of those who are willing to pay attention to the news. This has, however, more bearing on opinion, and especially its formation, than on the concept of the public.[10]

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the people may have valid opinions as to how a problem may be settled is developed as a major thesis by Lippmann.

[8] Cf. John Dewey, *The Public and its Problems* (New York, 1927). Dewey is really developing a thesis as to the nature of the state. The public, in his use of the term, is, when organized, the state. The burden of his argument applies to the consequences of non-governmental behavior rather than to the incidence of governmental action.

[9] Cf. Lord Bryce, *Modern Democracies* (New York, 1921), I, p. 430. "The public opinion of a people is the expression (as applied to politics) of the intelligence, taste, the temper and the moral feelings, of the individual *citizens*." Italics are mine.

[10] An indirect suggestion as to the nature of the public occurs in F. Gény, "Judicial Freedom of Decision . . . " *Science of Legal Method* (New York, 1921), p. 7.

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In any case, when we consider the public we must begin with the state, and in all states there is some scheme of participation, the logical starting point of our investigation. For an absolute government, as pictured by Hobbes, the concept of the public offers no problems. It is all those who are subject to the rulership of one absolute monarch by virtue of their participation in one decision, that is, to be so legally obligated. Such a limited participation is envisaged by Locke, though further participation in connection with individual natural rights is retained, eventually by the right of revolution. Hobbes and Locke have, therefore, little difficulty with the notion of the public, as indeed a strict adherence to the social contract theory of original participation would indicate. However vaguely outlined, any representative institutions, as admitted by Hobbes and Locke, present the ultimate difficulty of the public. Such an admission is a prophecy of the modern democratic problem of participation in government.

In making participation an essential attribute of citizenship and majority will in fact a test of the general will, Rousseau comes close to Lowell's theory of the public. An individual not willing to be bound by the general will is a political outcast, i.e., he is not a member of the public. But the nineteenth-century development of the general-will theory into a metaphysical interpretation of the public, it would seem, is contrary to the American tradition of the contractual or associational state which was inherited from the seventeenth century. Hence the general-will theory, as distinguished from majority rule, is untenable as far as our tradition, and pluralism, indicate future development.

Participation becomes a dominant problem by virtue merely of the organization of political society. We have defined forms of government in terms of participation from Aristotle to the present, though the general agreement in modern states that stability comes chiefly from well-recognized means of participation has devitalized the principles of governmental classification. Nothing is so inherent in democracy as participation, and this gives the surest ground for a definition of the public. In defining the public, as a concept of politics, as those persons who have the right of partici-

Gény objects to the idea of the legal historical school "that public opinion, representing the general feelings, more or less conscious, of the people *interested*, can legitimately suggest to the courts the solutions of juridical problems . . . " Italics are mine.

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pation, we reach the highest possible ground. The legal character of political organization is not obscured by psychological or sociological distinctions, and the problem of groups is conceived as an aspect of opinion rather than the public.

But even if we assume an essential validity in the idea of participation as a test of the public, it does not mean that the substance of participation is unchanging. Many of the historic reforms in government have been attempts to reorganize participation, and many new ways of making participation effective, especially by organized or conflicting groups or interests, have been developing. In some cases, these means have as yet an uncertain legal position in relation to the public. Participation is being realized in other ways than by the ballot, and the stabilization of such means of expression alters the limits of participation. Yet participation as an essential concept remains; it is the basis of *action* which relies on the will of the individual. Nor does the inactivity of those having the right of participation invalidate the concept; it may mean merely that older devices, such as the vote, are becoming less effective. It may also be true that disobedience to laws is a form of negative participation in political life.[11]

III. OPINION

If man acts only by cause and effect, and if he has no freedom to choose between two or more possible lines of conduct, there can be no value in considering opinion as a force, for the forces which are important are behind opinion. But if there is ever so little ability in human beings to deliberate and choose, opinion becomes important

[11] Cf. Rudolph von Ihering, *Law as a Means to an End* (Boston, 1913), pp. 223–224. This tendency in the analysis of the public appears in A. Alvarez, "Methods of Scientific Codification," *Science of Legal Method* (New York, 1921), p. 430. Observing that political and legal science must train both the governing and the governed class, he says: "Does not the latter class, through the vote, participate in the conduct of a country's affairs? Does not its state of mind synthetically constitute public opinion?" If, however, we use the idea of the general will somewhat more loosely than the Idealists, it is an expression which indicates that there are common interests among the citizens of the state. It was on the basis of common interests and purposes that T. H. Green, in his *Lectures on the Principles of Political Obligation*, insisted that every one should have an opportunity or right to contribute to the general will. A. D. Lindsay, *The Essentials of Democracy* (Philadelphia, 1929), pp. 46, 78ff, has re-stated this point with great force. It might be added thatmuch of the specific case of the political pluralists is devoted to elaborating means whereby the participation of the individual may be made more vital. The re-statement of the problem of participation is one of their chief contributions.

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to the extent of this freedom. As far as practical politics is concerned experience seems to indicate a power of choice. To think of opinion in a vital sense, we think of deliberative freedom in man and not of man as completely controlled by external or psychological forces, or innate ideas. The state must deal with wills in order to satisfy them, and, concretely, the will to power through ideas is merely another name for a public opinion which involves the freedom of deliberation and choice.[12]

Fouillée thinks of free-will as a power to choose between contrary views. Evolution or progress is his link between the ideal and the real. Every idea conceived tends toward realization by virtue of the fact that it is conceived, says Fouillée, very much as Mr. Justice Holmes said that every opinion tends to become a law.[13] "When we permit our actions to be guided by the directive idea of freedom . . . we actually perceive its image growing clearer and clearer within us, by virtue of determinism itself." The notion of an ideal freedom, the development within the individual of constantly increasing energy, implies that man is not a mere thing, but that he has consciousness, intellect, and will which is capable ideally of willing for the universe. The mere fact that such a freedom is conceived is directive in human conduct.

While Taine said that history chooses our constitutions and that we merely adapt ourselves to them, Fouillée believes that history was enacted with human aid. Even realists might admit that a nation should be conscious of a "capacity for progress," which is a pure idea. While we may begin a theory of rights or opinion with a pure idea, we must analyze scientifically the consequences of action and the means of realization at hand. The idea of freedom and the fact of freedom (let us say in opinion) tend toward realization. Practical freedom is compatible with science; it moves in the direction of the ideal by natural and intellectual means constituting a determinism. Thus naturalism and idealism unite in a practical and progressive freedom which is the power to develop all our faculties by reflection on experience.[14] Such a synthesis is but another state-

[12] Hocking, *op. cit.*, pp. 316, 404. The purely psychological approach to opinion chiefly suggests that the only important aspect for political science is behavior with an attendant emphasis on its irrationality. Without denying the importance of behavior, the suggestion is here made that will is equally important.

[13] Lochner v. New York, 198 U. S. 45 (1905).

[14] See G. E. G. Catlin, *A Study of the Principles of Politics* (New York, 1930), pp. 24–26.

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ment of a pragmatism which relies on human ideas for values and on the eventual influence of objective or scientific reality as a channel of achievement.[15]

But when we consider various theories of truth, it is striking how infrequently the individual opinion is given value.[16] Moral theology within its field leaves nothing of an essential character to public opinion; idealism often stresses the ability of those trained in philosophy; and naturalism places truth outside of any vital perception of the individual. Even in the case of the great democratic leaders, public opinion is represented as arriving at the truth. Perhaps Milton, Jefferson, and Lincoln best illustrate this tendency.[17] If we, as Duguit, begin with will and consciousness, we must inquire likewise as to the relation of this will and consciousness to the "objective" fact of social solidarity.[18] Will and the content of consciousness, for Duguit, have no real contribution to make to truth. Truth is social solidarity. But whatever one's theory as to the nature of ideas may be, we can rest in part on the fact that individuals do have opinions and that these opinions are significant in human relations.

[15] Fouillée, *op. cit.*, pp. 158, 179–188. As Vinogradoff points out (*Outlines of Historical Jurisprudence*, Oxford, 1920, I, 37), consciousness once created becomes a powerful agent in itself and one of the means of carrying on evolution. This has been clearly emphasized by Fouillée. Rightly understood, his theory of ideas as forces gets rid of the supposed passivity of the mind and lays stress on the most elemental form of its conscious reaction against the outer world. Cf. Dewey, *op. cit.*, Chap. I.

[16] Cf. Fritz Berolzheimer, *The World's Legal Philosophies* (New York, 1912), pp. 64, 68, 83–84, 151, *passim*.

[17] "The people," said Cicero, "although ignorant, yet are capable of appreciating the truth, and yield to it readily when it is presented to them by a man whom they esteem worthy of their confidence." Niccolo Machiavelli, *Historical, Political, and Diplomatic Writings: Discourses* (tr. C. E. Detmold, Boston, 1882), II, 106. Cf. Henry Sidgwick, *The Development of European Polity* (London, 1903), p. 109. In explaining the errors of public opinion, we may take as a cause the sin of Adam, as Christian theology formerly did; its lack of wisdom or true experience; its lack of intelligence; or its lack of instruction. Laski, in harmony with modern writers, emphasizes the importance of the instructed judgment. *A Grammar of Politics* (New Haven, 1925), pp. 146–147.

[18] Léon Duguit, "Theory of Objective Law Anterior to the State," *Modern French Legal Philosophy* (Boston, 1916), pp. 267, 272, 294. See Catlin, *Principles*, p. 225: "For this combination which involves a measure of community interest and an interdependence which is thought of as in some measure a free act of will, rising above bare mutualism, the term 'solidarity' has been put forward by the French school of thought. . . ." Hocking, *op. cit.*, p. 383: "The affirmation of the state is deeper than conscious acquiescence, deeper also than fear, deep as the instinctive sense of the necessities of personal growth."

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The formation of habits of thought may be observed historically, and within limits the revision of previous customary points of view.[19] Custom is an evidence of opinion, and particularly so when habits of thought are organized means of social control. Each mind shows a systematization in points of view in which we observe, first, feelings which, when organized with mental valuations, become sentiments; and, second, the organization of sentiments into pattern reaction types which may be called attitudes. Attitudes are organizations of feelings and sentiments into consistent groups.

Lippmann develops the concept of the stereotype to explain this fact, but he stresses the visual aspect of opinion almost to the exclusion of valuations, and this, combined with his failure to appreciate the stability of opinion, robs the term of its analytical value.[20] It is doubtful in any case if such a term, borrowed by Lippmann from a field of art in which visualization is significant, can be stretched to cover the needs of political science. He does use at times, the term attitude, but he wavers between the idea of opinion as formed in a short time and opinion as a relatively permanent force.[21] The *cliché* is undoubtedly valuable in the discussion of casual opinion which is formed primarily to meet an issue, but it is defective in treating permanent valuations where the visual element is only an incident of application.[22]

With mental attitudes as a starting point, we reach the problem of the formation of opinion. As a generalization, it may be said that broader and more fundamental opinions are slowly matured and are relatively permanent when formed,[23] and that it is only in cases

[19] The historical school of jurisprudence in the nineteenth century deserves great credit for insisting on the *development* of ideas. As Pound says: "The historical school insisted on the social pressure behind rules where the philosophical school of the preceding centuries had insisted on the intrinsic force of the just rule as binding upon a moral entity and the analytical school later insisted upon the force of politically organized society." *Interpretations of Legal History* (New York, 1923), p. 18.

[20] See *Public Opinion*, pp. 81 ff. Cf. K. G. Wurzel, "Methods of Juridical Thinking," *Science of Legal Method* (New York, 1921), pp. 339–342, for emphasis on images in the formation of concepts, which are viewed as groups of images connected by memory. Yet Wurzel makes the will the foundation of logical thinking, with logic as a directive power in language and the body of concepts. On p. 371, he shows how valuations make up the great part of our thinking.

[21] *Public Opinion*, pp. 87–92, 125, 133, 197, 254, 351. See also *The Phantom Public* (New York, 1925), pp. 65 ff, 127, 128.

[22] *Public Opinion*, p. 254.

[23] For instance, Machiavelli follows Hesiod in stating that the voice of the people (when not corrupted) is the voice of God, but he stresses, in harmony with the above

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where individuals have no immediate interest that opinion can be formed in a short time. But it should be noted that casual opinion is formed in harmony, for the most part, with the more slowly developed mental attitudes or permanent opinions. The social heritage is undoubtedly the most important single factor in the formation of opinion, and a clear understanding of it will ordinarily give a certain degree of predictability as to the nature of individual opinion.[24] This the literature of opinion has neglected in its hurry to observe surface flurries.[25] Needless to say, the social heritage is composed of ideas and values as well as material equipment. Evolution in culture may be hastened by certain types of changes, but Ogburn has demonstrated a lag in the development of immaterial culture.[26] However, it is possible to see values as fixed but with a changing application as material culture alters. It is too early to say what effect the rapid technological changes of the present will have on the content of thought; nor can we say definitely what effect, if any, the historic ideas of western civilization will have on contemporary technology. It is probable that the effect of the machine age on ideas will be indirect and will appear only over considerable periods of time.[27]

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view (divine will being stable), the permanence of popular ideas. *Op. cit,* II, 217. Cf. the statement of Mr. Justice Holmes (233 U. S. 389): "The universal sense of a people cannot be accidental; its persistence saves it from the charge of unconsidered impulse. . . ." Mr. Justice Brown said (163 U. S. 537): "The argument also assumes that social prejudices may be overcome by legislation. . . ." See G. E. G. Catlin, *The Science and Method of Politics* (New York, 1927), p. 167.

[24] See Pitirim Sorokin, *Contemporary Sociological Theories* (New York, 1928), p. 710: "When one reads attentively the existing discussions about the rôle of belief, opinion, ceremony, law, arts, religion, morals, and so on, he may easily discover that under the names of these various agencies there are, to a great extent, identical 'forces.' In this way the same agency is counted several times. The theories identify what is different, and separate what is identical."

[25] Cf. Lippmann's views on the transfer of stereotypes to new issues as stated in *Public Opinion;* Lowell's limitations on the type of questions which may be treated by the public and his insistence on the element of choice between two opposing views, as set forth in his *Public Opinion and Popular Government;* C. L. King, "Public Opinion in Government," Introduction to W. B. Graves, *Readings in Public Opinion* (New York, 1928); W. B. Munro, "The Pendulum in Politics," 154 *Harper's Monthly* (1927), 718–725.

[26] W. F. Ogburn, *Social Change with Respect to Culture and Original Nature* (New York, 1922), *passim.*

[27] Dewey, *op. cit.*, p. 7. Hocking, *op. cit.*, p. 260, for the functioning of small groups in generating new ideas. Of course, it is the interpretation of mechanical civilization which will change.

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It has been the fault of individualism not to emphasize the conjoint behavior of individuals. Natural rights theory withdrew the individual from pre-existing associations, and so did economic individualism. Natural law in economics and natural rights have been assimilated, and neither views man in realistic association with his fellows. Rationalism tends toward the same result, but while a theory of public opinion must start with the individual will, it cannot remain there, for the meaning of that will in its efforts to deal with the world can be understood only in connection with other wills and the impact of environmental conditions. This effect is produced, to be sure, by the mechanics of contacts, primary and secondary, but more fundamental is the significance of associated life which those contacts impart to the individual. Attitudes are the product of life in society, whether we think of them as favoring or opposing a given order. If opinions are generated in associated life, they can best be expressed in group activity. Unless we assume some theory of the state as a moral, a real, person, we must continue to deal with the individual, though to understand the individual we cannot forget his life in association with others.[28]

Today the need of experts and technicians in finding a basis of action is recognized. If we develop means of getting at what may be spoken of as relative truth, opinion will be left as the ruler of a functionless kingdom. If opinion may only support, and if it has no right to resist, the experts, the value of democracy is clearly in question. If the technique of finding and acting on facts is to be restricted to experts, popular government, except as a means of obtaining obedience from the masses, may well be only one short phase in the history of politics. There is some evidence to show that those dealing with the problem of keeping economic life functioning

[28] See Dewey, *op. cit., passim;* R. E. Park and E. W. Burgess, *Introduction to the Science of Sociology* (Chicago, 1921), pp. 280–287. Cf. the discussion of Giddings' views by C. L. King, "Public Opinion as Viewed by Eminent Political Theorists," *University Lectures, 1915–16* (University of Pennsylvania Press, 1916), III, 442. In connection with group aspects of opinion, we may ask: What is international public opinion? First, we may deny that there is anything organic in it: it is merely the sum of the public opinion of various countries. Second, granting a legal unity to the states in the League system, there may be a rudimentary international public taking shape in so far as the League involves a system of international legal participation. International public opinion, of course, must be strictly differentiated from public opinion on foreign affairs.

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efficiently have a steadily diminishing confidence in the mass of the people. This is shown by the concerted efforts to control casual opinion which, though expensive, have been relatively effective. An integrated and sensitive economic society cannot tolerate too much effective heterodoxy in opinion; homogeneity in certain matters of opinion is a condition of its existence.[29]

The difficulty of arriving at tentative conclusions as to opinion as a concept of political science has been increased by a series of distinctions which serve no real purpose. Public opinion, says King, is not mob action, public indignation, public sentiment, popular impression, preponderant opinion, general opinion, or public judgment. With this careful refinement completed, public opinion remains as a "social judgment reached upon a question of general or civic import after conscious, rational public discussion." Public opinion in this view is essentially what may be called casual as against permanent opinion, though King quotes with approval the idea of Ellwood that public opinion is a force back of all regulative institutions, which obviously involves the preservative rather than the generative aspect.

Mob action is rejected because it carries old standards, while public opinion creates new ones; but the maintenance of standards when formed cannot be excluded clearly from the action of opinion. It is not clear why public indignation should not be considered at least a manifestation of stable opinion, nor why public sentiment cannot include rational thought as well as feelings. It is not clear that popular impressions, which, he says, are unthinking reactions caused by suggestion and imitation, are always shallow, transient, and fickle, and are not to be viewed, let us grant, as inferior public opinion. A preponderant opinion is artificially defined as a majority judgment without discussion, and in accordance with mental attitudes and habits; but there is no logical reason why such a decision can never be as rational as one derived by discussion, and there is certainly no objective criterion of the discussion necessary to convert preponderant opinion into public opinion. A general opinion, according to King, involves a fatal unanimity, and is wanting in recent discussion and criticism. Yet should not this be public

[29] See G. E. G. Catlin, *The Science and Method of Politics* (New York, 1927), p. 96. But see also John Dickinson, "Democratic Realities and Democratic Dogma," in this REVIEW, Vol. 24, p. 305 (May, 1930).

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opinion? Public judgment is merely less mature than public opinion, and perhaps more calm.[30]

Plainly, these distinctions are subjective, and they make it almost impossible to determine what Lowell would call "real" opinion. They are qualitative judgments on the panorama of social conflict and human wills in action. We need start only with will and its content or wish; we need say only that public opinion is the content, in terms of valuation and attitude, of the wills of those persons who compose the public. To one, the opinion which seems predominant may be good; to another, bad. To one, it is instructed; to another, it is uninstructed.[31] The formation of opinion and the judgment of its content is not a static or universal problem; it is to be faced in different ways depending on the character of civilization and a moving world of struggle and strife in the development and liberation of the capacities of mankind.[32]

IV. OPINION, THE PUBLIC, AND THE GOVERNMENT

It is of primary importance to show that in a democracy the member of the public has a right to his opinions, and that the expression of this opinion, when effective, is a criterion of public policy. There are three possible questions at hand: the relation of opinion and the public, the relation of the public and government, and the relation of opinion and government. The latter two relations will be considered in the next two sections, where the effectiveness and creativeness of opinion are analyzed. If we assume that the public consists of those who have the right of participation in government, the function of such a concept is ultimately to designate the area or body of opinion which will be given weight

[30] See C. L. King, *loc. cit.*, in Graves, *op. cit.*, pp. xxi–xxxi. Cf. Lowell's distinction between "real" opinion and that which is not "real," and between impression and opinion. *Public Opinion and Popular Government*, Chap. IV; *Public Opinion in War and Peace* (Cambridge, 1923), Chap. I. See Stuart A. Rice, *Quantitative Methods in Politics* (New York, 1928), p. 51, for the conclusions of the Second National Conference on the Science of Politics: (1) opinion need not be the result of a rational process; (2) it need not include an awareness of choice; and (3) it must be sufficiently clear or definite to create a disposition to act upon it under favorable circumstances.

[31] Catlin, *Principles*, pp. 48–49: "In fact, however, it is a commonplace that unity of social ideal is not something which comes by nature, but that it is something wrought by the influences which play upon public opinion. . . . The study of true ideas is not of itself the study of social forces."

[32] Cf. Seba Eldridge, *The New Citizenship* (New York, 1929), pp. 80 ff.

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by any certain political organization. The political aspects of opinion arise logically, therefore, from the primary concept of the public.

But in other definitions of the public the relation between opinion and public becomes more complex. To say, for instance, that the public consists of those who are interested in the rules of the game, and who are not parties to a controversy, is really a statement of limitation on the function of opinion. To say, again, that the public consists of those who are willing to abide by the decision of the majority makes opinion itself the test of membership in the public, at least logically, so that public and opinion are not really separable concepts as Lowell would have them. If we say that the public consists of those upon whom the incidence of governmental action falls, our emphasis is not on opinion at all, and there is no need of a statement of relation between the two ideas.

It may be assumed that there is no relation between opinion, the public, and the government; that true opinions come from God, natural law, or the right use of reason. Authoritarian theories would limit or destroy the relation at the source, but demand of necessity that certain true opinions be held. For instance, in a theocracy there would be no room for functioning opinion on issues of significance, because true opinions would be drawn from the flamenic code at the base of public and private institutional life.[33] Modern democratic theory developed first in connection with the authoritarian view. It was asserted that men have rights, religious and political, which governments must respect, and it was under this belief that the disfranchised people insisted upon and finally won the Western code of political and civil rights. But during the last century the authoritarian basis of democracy was weakened. Democracy has become pragmatic, to use a new word for older utilitarian views; what the people want is presumed to be the standard of right conduct in government, and Fouillée's synthesis of idealism and naturalism suggests that knowledge and rational valuations may be embodied in these wants. In theory at least, modern democracy demands a close conformity between opinion and government, which is to be attained through the legal concept of the public. The public is merely the lever of social mechanics, as

[33] Cf. John A. Ryan and M. F. X. Millar, *The State and the Church* (New York, 1922), *passim*.

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Ihering might say, for the realization of the force of opinion on government. The public, with its related opinion, becomes a factor in political control, and the functioning total concept of public opinion emerges.

V. THE LIMITED EFFECTIVENESS OF PUBLIC OPINION

It is only when there is a definite theory of a close relation between actual opinion and the public that the study of public opinion is fundamental in politics. Democracy makes the assumption that opinion, which is subjective in itself, has some validity, especially as it approaches unanimity;[34] and a further assumption is made that democratic control of government is, therefore, the best ethical foundation of the state.

Any theory of opinion as such, without reference to a standard above it, must be in essence pragmatic. The development of faith in public opinion has coincided generally with an abandonment of authoritarian notions with reference to the state. So long as a theological or natural bias is prevalently held, the function of opinion is limited.[35] In the political dicta of St. Paul or John Locke there is little scope for public opinion. The "general interpretation" of the words of St. Paul[36] and the rejection of natural law have made for the play of opinion. In other words, the state is being thrust from the domain of absolute ethics, and it must move in a world of relative values; democratic theory holds that its highest duty is to be responsive to the effective opinion of the public. Perhaps the rise

[34] Hocking, *op. cit.*, p. 384.

[35] Virtue, not opinion, said Penn, is the cement of society. G. P. Gooch, *Political Thought in England from Bacon to Halifax* (London, 1914–15), p. 226. Said John of Salisbury: "Vain is the authority of all laws except it bear the image of the divine law; and useless is the decree of the Prince unless it be conformable to the discipline of the Church." R. L. Poole, *Illustrations of the History of Medieval Thought and Learning* (2nd. ed., New York, 1920), p. 206. Democratic theory and practice has succeeded to a certain extent in repudiating this restriction on the majority by discrediting natural law. Smith, *op. cit.*, Chap. VIII. But cf. J. H. C. Wu, "The Juristic Philosophy of Roscoe Pound," 18 *Illinois Law Review* (1829) 302: "Such general notions as 'due process of law,' 'reasonableness,' 'natural law,' receive their contents continually from the social psychology, or in a more familiar expression, the 'public opinion.' . . . In the mechanism of law, the above-mentioned general notions are empty vessels through which public opinion is continually conducted to the interior of the machine." Cf. Fouillée, *op. cit.*, p. 202.

[36] John A. Ryan, *Catholic Doctrine on the Right of Self-Government* (New York, 1920), p. 4.

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of the modern theory of public opinion is a tacit admission that the search for truth in terms of the absolute has been a failure.[37]

The discussion above has indicated that philosophical valuations, when held by dominant forces in a community, do in fact limit the functioning of opinion, and especially is this true when the valuations are part of a long-established human culture. There are other ways of viewing objective factors in the concepts of public opinion. Social institutions in most cases are limitations on public opinion. The traditional legal materials in the hands of judges have directed the development of civilization often without regard to public opinion.[38] Our greatest judges have never been afraid of the force of opinion, and in economic relations they have been able to make their conclusions hold no matter what the people may have thought at certain times. Law, as an institutional limit on public opinion, has not been so effective in the field of standards and conduct; and here what Dean Pound calls individualization in the application of the law has been in reality an expression of public opinion.

A distinction must be observed at this point, however, between the institutional limitation on the individual and on the group. The "social facts" of Durkheim stand primarily as a restriction on the vagaries of the individual will. The state and the community, in the hands of custom,[39] stand as resistant facts, "enduring and organized over centuries by the agreement of millions of wills, built up as a coral reef by a myriad of coral insects, slowly changing under pressure from a changing environment."[40] But the institutional limitation also conditions the vagaries of groups. Habits of individuals are hard to change, whether individually or in association, but externally larger groups comprehending smaller ones limit the latter, even when there is substantial agreement to disagree with the former.

[37] Hocking, *loc. cit.* "But whatever the machinery of decision, since it is to establish a deed which is the deed of all, the test of its rightness is an eventual unanimity of approval. No present majority, however large, can evade this ultimate test."

[38] Cf. Charles Warren, *The Supreme Court in United States History* (Boston, 1922), I, Chap. I; II, p. 460; Dickinson, *op. cit.*, p. 290. Cf. Catlin, *Principles*, p. 443: "Law, then, does not depend solely upon opinion, but also upon the facts of the social structure." See also C. G. Haines, *The Revival of Natural Law Concepts* (Cambridge, 1930), which shows in detail the use of natural law ideas by American judges.

[39] R. M. MacIver, *The Modern State* (Oxford, 1926), p. 40.

[40] Catlin, *ibid.*, pp. 85–86.

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In his theory of social solidarity, Duguit attempts a statement of the objective needs of human society. A modern technological community is very sensitive to disarrangements, which can be understood immediately only by those in directive positions.[41] Public opinion is unable, experience teaches, to solve many of the most important technical problems of the present age. Economic organization has generally been superior to the force of casual opinion, as likewise the corpus of social heritage. Although neither immediately controls opinion, each does in the long run, partly at least through the conscious program of education developed by those who have the power and whose interests are at stake.[42] The results of the Industrial Revolution were not foreseen, and its indirect consequences are now considered more significant in social development than the obvious results to which thinkers looked. People are joined together by vast currents which they cannot control and seldom understand. "The forms of associated action," says Dewey, "characteristic of the present economic order are so massive and extensive that they determine the most significant constituents of the public (that is, the state) and the residence of power."[43] While some of the fundamental habits and traditions have been little affected, such as the desire for profit, Dewey concludes that the "new forms of combined action due to the modern economic régime control present politics, much as dynastic interests controlled those of two centuries ago. They affect thinking and desire more than did the interests which formerly moved the state."[44]

Effective legislation suggests the fields in which public opinion can best operate, and these involve human relations, conduct, and

[41] Cf. Stuart Chase, "One Billion Wild Horses," *League for Industrial Democracy* (New York, 1930), *passim*. See Walter Lippmann, *A Preface to Morals* (New York, 1929), *passim*.

[42] A complex environment is a great limitation on the action of public opinion. The "unseen environment," according to Lippmann, adds greatly to the actual complexity of society. He sees it, however, primarily as a problem in the organization and distribution of intelligence. *Public Opinion*, pp. 270, 345, 369–418. Cf. René Demogue, "Analysis of Fundamental Notions," *Modern French Legal Philosophy* (Boston, 1916), pp. 376–377, 410, 430, 539–540, 569. It might be added that in some ways the rise of dictatorship is an expression of the objective needs of society. Under dictatorship, the function of opinion is to support the leader, and the dictator in turn must achieve the technological integration of the state.

[43] Dewey, *op. cit.*, p. 107.

[44] *Ibid.*, p. 108. See Roscoe Pound, *The Spirit of the Common Law* (Boston, 1921), pp. 165, 192, 195–196.

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standards, though even here the historic heritage of ideas controls and limits. The choice of personalities, the maintenance of things as they are, the decision as to new problems of conduct and standards may, with adequate machinery, be dominated at times by public opinion.[45] But the more we stress the objective factors in society, the less is public opinion a gateway to truth, and in time we may become tired of leading opinion to what may be called the objective necessities of society as perceived by those in authority.[46]

A further broad qualification of the effectiveness of opinion is seen in the uncertain development of social invention and the ineffectiveness of majority coercion, which is a phase of social invention. It is one thing to recognize a social need or to adopt a particular concept of purpose, and it is quite another to attain the purpose or satisfy the need. While legislation has been discovered in modern times as an agency for the attainment of purpose, the facts show that an exaggerated faith in the efficiency of majority enactment and judicial decision is not justified. Inventiveness in mechanical fields is much more certain to continue than is social invention. It is probably true that the greatest contribution to scientific method will be in the mechanics of social technique. In regard to prohibition, for instance, no law has made it possible for the state to guarantee that those who drink and are not a menace to their fellows may still drink, and that those who drink and are a menace may not drink.

[45] Roscoe Pound, *Introduction to the Philosophy of Law*, pp. 137–138. Another way of stating this fundamental principle of the action of public opinion is to indicate that opinion is effective within those limits in which political discussion is effective, in which discussion may discover the principles of common purpose in society Lindsay, *op. cit.*, pp. 53ff. It can be argued that the term "real" opinion may be used here to denote the area of the creativeness of opinion, and that opinion on objective factors is "non-real" opinion. *Ibid.*, p. 57. Opinion on subjects outside of the competence of opinion, or of the individual, must of necessity be somewhat doubtful. *Ibid.*, p. 58.

[46] Cf. Taft's opinion in Truax v. Corrigan, 257 U.S. 312 (1921); Smith, *op. cit.*, Chap. v; Charles and Mary Beard, *The Rise of American Civilization* (New York, 1930), I, 295–296; Pound, *The Spirit of the Common Law*, pp. 83–84. Cf. Berolzheimer, *op. cit.*, p. xliii. He denies that progress is the issue of conscious, rational, and deliberate striving as depicted in the utilitarian view. "History shows that the ends striven for and attained are not correctly formulated in consciousness; the alleged purpose and the achieved accomplishment are rarely the same." See also Rudolph Stammler, *The Theory of Justice* (New York, 1925), Appendix II, p. 574; Duguit, *op. cit.*, *passim*, for a treatment of social solidarity; Catlin, *Science and Method of Politics*, pp. 160 ff.

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The objective factors in relation to public opinion may be summarized in the following order: first, the continuity of social institutions, the organized folkways and mores of a society, in which should be included the detached and restraining influence of governmental organization, the historic constitution, and the law; second, the objective needs of society must be recognized as a social force which limits the effectiveness of public opinion; and third, the ineffectiveness of majority coercion where public opinion might otherwise act as in the field of conduct and standards, and the slowness of social invention, which might make human effort more effective and organized public opinion more easily felt.

VI. THE CREATIVE OPINION

The objective and limiting factors surmounting public opinion are generally recognized. But admitting that the acts of government may have a great effect is not admitting also that opinion can have the same effect. Agents of a modern government moving in a primitive culture are almost immune from the impact of native opinion, and by breaking down primitive sanctions for belief they can undermine a whole culture. In modern society, political action is taken by the government and not by the public; it is a truism to say that government has the greater effectiveness. The public may, however, influence what is being done. It is not that governments have more information, but that the agents of the state deal with a problem in an official capacity. The government is able to compromise, to adjust conflicting interests, while opinion must speak in terms of yes, no, and silence.[47]

If we assert that the action of government is creative in certain respects, what is meant by the concept of a creative public opinion? It does not matter how opinion is formed; what matters is the significance of opinion after it exists. Do we mean that opinion is a source of truth whatever may be its genesis? The pragmatist is apt to say that this is one aspect of its creativeness. Yet what we must mean by creative opinion is that it is effective in controlling government within the objective limitations on the action of government. It is obviously true that any objective limitations on government are likewise restrictions on public opinion, and in the preceding

[47] Cf. Bruce Bliven, "Who Makes our Foreign Policy," *New Republic*, April 6, 1927, pp. 187 ff.; L. D. White, *Introduction to the Study of Public Administration* (New York, 1929), pp. 475–476.

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section the suggestions offered are primarily restrictions on government and ultimately on public opinion.

The pragmatist believes in the efficacy of human effort, and Kohler, the neo-Hegelian, comes to the same conclusion—that culture in a creative sense is the control of man over nature, the preservation of his control, and its development in the future. In this connection, a negative creativeness of public opinion may be seen in conditions favorable to human activity which public opinion might disrupt but does not. There is also a close correlation between the permanency of opinion and its creativeness; by its stability, opinion remains a consistent force on government and its policies; it is quite possible for the government to ignore unstable and new opinion, especially in our form of constitutionalism. If we remember also the theory of Fouillée in which idealism and naturalism are reconciled, it is seen that public opinion can accept objective limitations in order to be effective within those limits.[48]

The problem of creative opinion in other than a negative sense is the problem of creative participation. It is the contribution to political life of a will containing the elements of rational activity, and a conscious judgment instructed as to the objective dictates of environment. It is essential in the long-run to the existence of democracy, though democracy, if its agents are capable, can build on the foundations of evolved culture.[49]

From this discussion we derive a secondary concept—the creativeness of public opinion. The problem of modern democracy is largely how to make opinion more creative in the light of the present facts of society and the machinery thus far evolved for bringing about participation. To such men as Bertrand Russell and

[48] See Josef Kohler, "Judicial Interpretation of Enacted Law," *Science of Legal Method* (New York, 1921), p. 188. We may admit that force-ideas are not entirely produced by individual minds. Kohler remarks: "We have entirely overlooked the fact that the legislator is a man of his age, completely saturated with the ideas of his time, completely filled with the civilization surrounding him. . . ."

[49] Lippmann believes in the creativeness of opinion in his *Public Opinion* (e.g., p. 159), but in *The Phantom Public* his concept of the public is based on the uncreative character of opinion. His idea of the rules of the game as simple and external is simply untrue, for it is into the construction of these rules that the best of human thought has been poured for centuries. The rules of the game are the real problems of valuation; they imply valuations. The externality view of opinion in *The Phantom Public* seems also to contradict the theory of "government in the people" in *A Preface to Morals*. See Sorokin, *op. cit.*, pp. 706–709, for an opposite view of Lippmann's position in *Public Opinion*.

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James Harvey Robinson, it is a problem in the reconstruction of the thinking process. As Russell says, men fear thought as they fear nothing else on earth; hence all the social invention to restrict the creative power of opinion.[50] Even in pragmatism, the creative function of opinion must be limited to the field of valuations; much of the world about us is callous and uninterested in our ideas. It is unconditioned in many respects by opinion or belief, and we must face it as a fact or body of facts. But by these limitations the creative power of opinion becomes much more real, for the boundaries of its effectiveness become clearer; and as they become clearer, human purpose becomes more rational and scientific.

Pragmatism, with its belief in human thinking and activity, scientific method, and the development of social science, may all be used to establish the effective creativeness of public opinion and "the legally outwitted and impotent masses of today."[51] Social experimentation and reconstruction will not then be blind or stubborn opinion thrashing itself against a wall of objective reality. As Vinogradoff remarks, "through the power of formulating ideas, man obtains a greater control over the unformulated impulses of his nature, and this certainly contributes to the setting up and to the enforcement of moral standards. . . . Altogether, the evolution of human civilization is unthinkable without the guiding thread of intellectual intercourse and speculation."[52]

VII. CONCLUSION

We have stressed the conceptual approach to public opinion, and characteristics of general validity have been suggested in an attempt to clarify the concepts of public opinion. These concepts are, first, that of the public, which in its most universal and accurate sense is the body of persons having the right of participation in government. The second is that of opinion which springs from the will and consciousness of individuals, and is best considered

[50] J. H. Robinson, "The Still Small Voice of the Herd," *Political Science Quarterly*, Vol. 32, pp. 312–319 (1917).

[51] Hocking, *op. cit.*, p. 380.

[52] *Op. cit.*, I, p. 39. See Luigi Miraglia, *Comparative Legal Philosophy* (Boston, 1912), p. 188: "Volition is the act of that energy accumulated by reflection, judgment, and abstract ideation, and is accomplished by a feeling of effort or tendency which a latent activity, overcoming obstacles and expanding, has for self-realization. . . . Energy is constituted little by little by that freedom which is not a lack of motive but an autonomy of deliberation."

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in a reconciliation of idealism and naturalism involving a broad interpretation of pragmatism. The third concept is that of the relation of opinion, public, and government, which involves one of the static characteristics of government, but is especially important in democratic theory. The fourth concept is the limited effectiveness of public opinion, which may also be accepted as of general validity. Finally, from the fact that public opinion is not completely ineffective, we reach a concept of the creative public opinion.

Catlin has observed that the object of political science is control.[53] We know that unity in our social ideals is wrought by the hands of men under the given restrictions of *conditions*. We know, because of the effectiveness of propaganda, that opinion and rectitude are not the same; that a knowledge of true ideas is not a knowledge of social forces. To know fallacies is not sufficient in itself, for we must also know how truths and fallacies are made effective in moving men. The constructive work of political science must start from abstractions and hypotheses which assist in moving on to the testing and application of them in that aspect of control which includes the formation and direction of opinion within the limits of its effectiveness.

[53] Catlin, *Principles*, pp. 49, 56, note 1.

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STATISTICIANS AND POLITICAL SCIENTISTS

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In his classic book, *Human Nature in Politics*, published in 1908, Graham Wallas said: "We must aim at finding as many relevant and measurable facts about human nature as possible, and we must attempt to make all of them serviceable in political reasoning."[1] While the point of view which Wallas expressed at that time has by no means been universally accepted, and is today challenged by men like Charles A. Beard,[2] certain steps have been taken toward its recognition.

Wallas was particularly impressed by the successful use of quantitative methods made by the economists, and well he might be. To mention a single case, the work of F. Y. Edgeworth, in the measurement of utility, the algebraical or diagrammatic determination of economic equilibriums, and the application of the theory of probability to sampling and in the measurement of economic value or index numbers, showed the trend of the times in economics. The twentieth century has marked an acceleration of this trend. Political scientists have not only lagged far behind the economists in the use of statistics, but they have shown important resistance in some sections to following in this general direction. What is the explanation of this situation?

It is obvious that units of measurement are harder to find in politics than in economics, where there are data in units of value such as price and wage data and also production data in physical units. What are the units of measurement in political science? George E. G. Catlin stoutly maintains that the vote constitutes a unit of measurement in politics which is analogous to the price unit in economics,[3] but this view has met strenuous opposition.[4] It is clear that in countries where there are dictatorships, as in Fascist Italy, in Russia, and in Turkey, the vote has not the same weight

[1] Page 140.

[2] Appearing under the title, "Political Science," Chap. IX in W. Gee (ed.), *Research in the Social Sciences* (New York, 1929). See also R. K. Gooch, "Government as an Exact Science," *Southwestern Political and Social Science Quarterly*, Vol. 9, pp. 252–263 (December, 1928).

[3] *A Study of the Principles of Politics* (New York, 1930).

[4] W. Y. Elliott, in S. Rice (ed.), *Methods in Social Science* (Chicago, 1931), pp. 84–85.

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that it has in England, France, and the United States; and even in the so-called democratic countries, the weight of the vote varies with social and administrative conditions. The vote as a unit of political support has yet to be standardized. Another reason for the slow progress of the statistical method in political science as compared with economics is the fact that the traditional training of political scientists has been in history, philosophy, and law, and not in statistics and mathematics. Furthermore, the received body of political theory does not readily lend itself to the stating of problems in quantitative terms. Many of the so-called economic laws which have been verified by statistical investigations have been revised and restated in the process.

In addition, measurement studies have suggested empirical laws, like the law of cyclical fluctuations, which the economic theorists have endeavored to explain. Political theory has not yet reached this stage. G. E. G. Catlin, P. S. Florence,[5] Stuart A. Rice,[6] Herman C. Beyle,[7] and others have started a re-formulation of political theory in terms which may permit the setting up of hypotheses for empirical investigation. Catlin has discussed a number of so-called political laws; Florence has developed the concepts of rule relations, work-sharing relations, and manning relations; and Rice has been concerned with "available evidence concerning those factors or 'forces' that give rise to political activity and that determine its form and direction." These are initial steps in the direction of a statistical politics, and they are very important.

While most political scientists have been continuing in the traditional ways of history and public law, their field has been invaded by economists, sociologists, psychologists, and educators equipped with statistical techniques who have seen interesting problems in the field of politics. It may be of interest here to review briefly how certain statistical techniques have been used in solving political problems of a non-administrative type. The importance of the studies which will be mentioned varies considerably, and so does the appropriateness of the techniques. In the space available, it is not possible to make an exhaustive review of the subject. The critics of quantitative methods in political science might employ some of the studies to be mentioned to argue their case for the use

[5] *The Statistical Method in Economics and Political Science* (New York, 1929).
[6] *Quantitative Methods in Politics* (New York, 1928).
[7] *The Identification of Attribute-Cluster-Blocs* (Chicago, 1931).

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of other methods. In this connection, it should be pointed out that no reputable statistician argues that the quantitative method must be used to the exclusion of other methods. Statistical studies depend upon qualitative descriptive analyses for fruitful hypotheses and interpretations.

An early step in any statistical investigation is that concerned with the question of units, terminology, scales, and questionnaires.[8] It is obviously foolish to count data which are indefinite, inaccurate, and ambiguous, and expect the results to be definite. It is also ridiculous to use refined mathematical formulas on data which are full of errors that have been made in the original observations and records. For example, a number of studies of referendum votes in Chicago were made, using tabulation and correlation, before it was discovered that there was a large margin of error and fraud in the counting of these votes.[9] It is likely that for some time the application of statistical method in politics will be confined largely to the testing of units and the standardization of terminology. This is by no means an easy task, as measurements in the social sciences are usually indirect and it is very difficult to indicate how closely the evidence which is counted is related to the quality which is being studied. As will be shown in some of the examples, the setting up of units or scales for some problems involves a thorough familiarity with the whole field of statistics.

The framers of the Constitution of the United States were confronted with problems of statistical terminology in laying the foundation for the federal census. The definition of "negro" raised many delicate questions, some of which are still confronting the federal authorities.[10] Who were these "other persons?" How was free status to be established? How were the mixed bloods to be

[8] In discussing this paper, Professor F. Stuart Chapin contended that measurement should be carefully distinguished from enumeration. Measurement involves the selection of an arbitrary scale, while enumeration is nothing more than counting. According to Graham Wallas, social scientists are not likely to discover a new physical unit like the ampere or wave length. In this paper, the word "measurement" is not used in the sense in which it is employed in the physical sciences. Measurement here means making the most exact, objective, clear, appropriate, and comparable observations possible. The whole question of units has been well discussed by G. A. Lundberg, in his *Social Research* (New York, 1929).

[9] D. Maynard, "Fraud and Error in Chicago Referendum Returns," *National Municipal Review*, Vol. 19, p. 164 (1930).

[10] On this point, see D. Young, "Statistical Studies of Race Relations," in S. A. Rice (ed.), *Statistics in Social Studies* (Philadelphia, 1930), Chap. v.

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counted? As the scope of the federal census has expanded, there has been an ever-increasing number of problems of notation. Any political scientist who uses the federal census should consider the appropriateness of the census definitions for his purposes. For example, in trying to show the relationship between illiteracy as given by the census and voting responses, it should be remembered that the census enumerators do not give actual literacy tests, but merely ask a direct question which is not likely to be answered truthfully where literacy is generally regarded as a social necessity.

In connection with the analysis of the voting behavior of legislators and legislative groups, a number of units and scales have been developed. Legislative votes lend themselves to statistical analysis more readily than popular votes because they are not secret, and because they are much more varied in character. President Lowell was one of the first to recognize this, and he devised his ingenious definition of a party vote in a legislative body over thirty years ago.[11] For more than twenty years, his work remained an unanswered challenge until Rice worked out his so-called indices of cohesion and of likeness between legislative groups.[12] Rice also attempted to define a legislative *bloc* in more generalized terms on the basis of the interrelation of the agreements between pairs of legislators.[13] Herman Beyle has also worked on this problem, and he has devised a notation that he calls the "index of significant cohesion of pairs." While the logic of Beyle's method and the usefulness of his procedure is open to question, the actual steps that he takes in handling his data are definitely set forth, and his method can be checked by other statistical techniques. L. L. Thurstone has already suggested a different approach in an article in which he outlines the application of the method of multiple factor analysis to the discovery of *blocs*.[14] In contrast to Beyle's method, Thurstone's method utilizes all of the data and calls for the preparation of a four-fold table for every possible pair of measures and the calculation of a tetrachoric correlation coëffi-

[11] "The Influence of Party upon Legislation in England and America," *Annual Report of American Historical Association*, Vol. 1, pp. 431–542 (1901).

[12] *Farmers and Workers in American Politics* (New York, 1924).

[13] *Quantitative Methods in Politics.*

[14] "Multiple Factor Analysis," *Psychological Review*, Vol. 38, pp. 406–427 (September, 1931); "A Multiple Factor Study of Vocational Interests," *Personnel Journal*, Vol. 10, pp. 198–205 (October, 1931). Tetrachoric r is discussed by T. L. Kelley, *Statistical Method* (New York, 1924), p. 253.

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cient for each pair. The implication of Thurstone's work is that the definition of a legislative *bloc* involves elaborate mathematical logic.

The use of popular votes to study variations in political attitudes calls for the testing of the materials and the careful setting up of categories. What is the machinery for the determination of the number of eligible votes? What method will be used in defining a party vote? Edgeworth, in a study of popular votes in three British parliamentary elections, published in 1898, was confronted with the problem of what to do with non-contested constituencies, with double-member districts, and with minor party candidates.[15] W. F. Ogburn, in his 1916 analysis of the political thought of social classes in Oregon as measured by referendum votes, faced the necessity of defining the social classes, urbanism, and the "radical" or "conservative" character of the measures voted upon.[16] In working on similar problems some years later, Rice devised his so-called index of progressivism and his ratio of nationality excess.[17] A. N. Holcombe's treatment of congressional votes involved the definition of sectional and economic groupings.[18] A number of other studies might be mentioned, but perhaps this enumeration has been sufficient to establish the point.

The vote is only a very rough index of political attitudes, since the choices are highly limited. A finer scale is necessary if the nature of political attitudes is to be examined more closely. Since the vote is secret, it is impossible to identify ballots and to relate directly a given kind of vote to economic and social factors. In studying such a subject as popular interest in voting, it is soon apparent that there are no available data on the number of eligible voters and on the characteristics of voters and non-voters. Field work by means of questionnaires and interviews is necessary in order to throw light on problems of this sort. W. T. Donaldson reports a study of the number and character of non-voters in two Ohio cities in 1913, based upon a very simple questionnaire.[19] Some

[15] "Miscellaneous Applications of the Calculus of Probabilities," *Journal of the Royal Statistical Society*, Vol. 61, pp. 534–544 (September, 1898).

[16] F. Ogburn and Delvin Peterson, "Political Thought of Social Classes," *Political Science Quarterly*, Vol. 31, pp. 300–317 (June, 1916).

[17] *Quantitative Methods in Politics*, pp. 94, 198.

[18] *Political Parties of Today* (New York, 1924).

[19] *Compulsory Voting and Absent Voting, with Bibliographies* (Ohio Legislative Reference Department Bulletin, No. 1, Columbus, (1914).

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ten years later, a number of voting studies were started at the University of Chicago, using schedules which were more complete.[20] The schedule in the second Chicago study and the one used by Ben Arneson in a study in a small Ohio city made improvements over the earlier schedules in objectivity and clarity.[21] A more elaborate technique was employed by Gordon Allport in a study of the composition of political attitudes made in 1928. Various questions were ranked by competent persons as to the degree of radicalism which they indicated. The subjects were then ranked with the aid of this index, and at the same time certain other relevant information was obtained.[22]

The most highly developed technique for the measurement of attitudes is that devised by L. L. Thurstone.[23] Using the analogy of psychophysical methods, he worked out procedures for assigning a scale value for each of a series of statements. One of his procedures uses as a scale value for a given statement the interpolated median judgment of a group of judges as to its position along an attitude *continuum*. The perfecting of a scale involves and requires considerable training in statistics. The Thurstone scales already standardized or in preparation which may be of interest to political scientists are those on the United States Constitution, law, Sunday observance, war, prohibition, communism, patriotism, public office, capital punishment, immigration, free trade, preparedness, the League of Nations, German war guilt, freedom of speech, and the Monroe Doctrine. Beyle has adapted this technique to the formation of a scale for measuring attitudes toward candidates.[24] A modification of his method has been used to form a so-called

[20] C. E. Merriam and H. F. Gosnell, *Non-Voting: Causes and Methods of Control* (Chicago, 1924); H. F. Gosnell, *Getting Out the Vote* (Chicago, 1927).

[21] B. Arneson, "Non-Voting in a Typical Ohio Community," in this REVIEW, Vol. 19, pp. 816–825 (November, 1925).

[22] "The Composition of Political Attitudes," *American Journal of Sociology*, Vol. 35, pp. 220–238 (September, 1929). The conclusion of this study is that political behavior is not specific, but is related to inclusive sets or attitudes in personality. The political character of men is, on the whole, bound up with many generic traits in their personalities.

[23] L. L. Thurstone and E. J. Chave, *The Measurement of Attitude*, etc. (University of Chicago Press, 1929). See G. B. Vetter, "The Study of Social and Political Opinions," *Journal of Abnormal and Social Psychology*, Vol. 25, pp. 26–39 (April, 1930), and G. and L. B. Murphy, *Experimental Social Psychology* (New York, 1931), for a review of the literature on this subject.

[24] H. Beyle, "A Scale for the Measurement of Attitude Toward Candidates for Elective Governmental Office" in this REVIEW, Vol. 26, p. 527 (June, 1932).

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hostility scale, representing the attitude of one country toward another as shown by selected newspaper editorials.[25]

It is apparent from the examples which have been cited that the selection of proper units for statistical studies in political science is a difficult, but not impossible, task. Once the data are collected, the next problem is the selection of the proper statistical devices for the treatment of them. The use of averages, measures of dispersion, and skewness in political studies will be considered first. Edgeworth, in the study already referred to, was interested in whether the multifarious motives that sway voters at a contested election produce results dispersed about an average according to the normal law of error. For this purpose he examined the relationship between the mean deviation, the quartile deviation, and a form of the standard deviation. In 1912, F. Stuart Chapin made a study of what he called "The Variability of the Popular Vote at Presidential Elections" by means of the standard deviation.[26] Unfortunately, in this study proper units were not selected for the calculations, the little sigma values being computed directly from the raw figures of the party votes for each election. A rough check on this work by means of the coëfficient of variation tended to show that claims made in this study were not well founded.

A study more nearly like that of Edgeworth has been reported by Rice, who was interested in the social density of attitudes toward LaFollette as measured by the percentages of votes cast for him in the counties of certain states.[27] On the basis of the coëfficients of variation, he concluded that the LaFollette strength was positively related to low relative variability among the percentages. Another use of averages has been made by W. S. Crowley in his study of the characteristics of leaders and non-leaders in three different situations.[28] In order to determine whether a particular

[25] Regarding the statistical analysis of newspaper and periodical material, see J. L. Woodward, *Foreign News in American Newspapers* (New York, 1930); Hornell Hart, "Changing Social Attitudes and Interests," in *Recent Social Trends* (New York, 1933); and S. Foster, *American News of Europe, 1914–1917* (University of Chicago Ph.D. thesis, 1932).

[26] *American Journal of Sociology*, Vol. 18, pp. 222–240 (September, 1912).

[27] *Quantitative Methods in Politics*. See also R. and M. Fletcher, "The Frequency Distribution of Voting in St. Louis," *Social Forces*, Vol. 8, pp. 427–429 (March, 1930).

[28] "Three Distinctions in the Study of Leadership," *Journal of Abnormal and Social Psychology*, Vol. 33, No. 2 (July-September, 1928).

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trait, as measured by a given test, was positively or negatively possessed by the leaders of one of his experimental groups, he calculated the standard error of the difference of the two means.

One of the most dramatic and widely discussed political problems involving the use of different averages has been the reapportionment of Congress. The two leading contestants in this controversy have been W. F. Willcox, of Cornell University, who advocated the use of the method of major fractions, and E. V. Huntington, of Harvard University, who advocated the method of equal proportions.[29] After the smoke of battle was cleared away following the barrage of calculations based on the 1930 census, it was discovered that as far as the particular figures were concerned, the results were the same.

While the economists have made many empirical studies of business cycles and trends, and have developed a body of theory to explain them, comparatively few statistical studies have been made of political cycles and trends. It is true that year-books and almanacs have printed data out of which such studies might have been made, and that some political scientists have referred to the swing of the electoral pendulum. But little has been done to analyze the amplitude and rhythm of political cycles. Sir Richard Martin discussed the swing of the pendulum in British politics in 1906. After an analysis of the election returns, he came to the conclusion that the swing of the pendulum in 1906 was a diversion of ten per cent of the votes of the victorious party to the other side.[30] Simple time charts have been used in several studies to show the trend of party voting and of popular participation in elections in several countries.[31]

In 1926, Rice reported a more ambitious attempt to analyze party turnover in New Jersey between 1877 and 1924, and to show the relationship between political and business cycles.[32] In cal-

[29] E. V. Huntington, "A New Method of Apportionment of Representatives," *Publications of American Statistical Association*, 1921, pp. 859 ff.; "Methods of Apportionment in Congress," in this REVIEW, Vol. 25, pp. 961–965 (November, 1931). The method of major fractions uses a form of the arithmetic mean and the method of equal proportions a form of the geometric mean.

[30] Cited in Florence, *op. cit.*, pp. 114–115.

[31] A. Siegfried, *Tableau Politique de la France de l'Ouest* (Paris, 1913); A. N. Holcombe, *Political Parties of Today* (New York, 1924); H. F. Gosnell, *Why Europe Votes* (Chicago, 1930).

[32] *Quantitative Methods in Politics*, pp. 280–293.

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culating the political cycle, he chose the per cent that the aggregate vote for the Republican candidates for assemblyman was of the total aggregate vote for all candidates. After eliminating the secular trend for his so-called political cycle, he found that the coëfficient of correlation between the business and political cycles was −.247. There are a number of questions which this study leaves unanswered. What evidence is there that the Republican votes for assemblyman in New Jersey are typical of Republican votes in the country at large? During what years was the Republican party in power? It is reasonable to suppose that when out of power it might benefit from adverse economic conditions. When is a party said to be in power? When it controls the state legislature? When it controls the governorship? When it controls Congress? When it controls the President? What is the relationship between the votes for these various offices in New Jersey? These and other problems will have to be solved before refined mathematical techniques will be applicable to political cycles.

Clark Tibbitts, in an article on "Majority Votes and the Business Cycle," has pointed out that if business conditions and party popularity are to be studied together, the elections must have occurred during or immediately following periods of expansion or depression; for a remote issue is of little importance in swaying the electorate.[33] However, Tibbitts does not seem to have answered satisfactorily the question of what is meant by a party in power. Another type of time series study was made by C. H. Titus, who was interested in the trend in popular participation in voting in California.[34] Titus fitted straight lines to the votes cast per 1,000 of the population and to the votes per 1,000 of voting population. He fails to interpret his data in the light of ballot changes, shifts in the relative strength of the major parties, changes in the amount of money spent in elections, and other relevant factors. These time series studies show that significant results in this field depend upon the close coöperation between the political scientist and the statistician.

There are many other political times series which might be

[33] *American Journal of Sociology*, Vol. 36, pp. 596–606 (January, 1931).

[34] "Voting in California Cities, 1900–1925," *Southwestern Political Science Quarterly*, Vol. 8, No. 4 (March, 1928); "Rural Voting in California, 1900–1926," *ibid.*, Vol. 9, No. 2 (September, 1928); "Voting in California, 1900–1926," *ibid.*, Vol. 10, No. 1 (June, 1929).

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studied, such as the trend in referendum votes on particular issues,[35] the rise and fall of minor party movements, the changing characteristics of representatives,[36] etc. Such studies as these would require a thorough knowledge of the qualitative political factors involved, as well as the usual measurement techniques.

Since the perfection of correlation techniques some thirty-five years ago by Karl Pearson and others, there has been a tendency to define causation in terms of association. Economists and educators have made extensive use of correlation. In political science, these methods do not seem to have gained very general recognition. In 1919, Ogburn, together with Goltra, employed the method of partial correlation in order to discover how women voted in comparison with men, in certain Oregon election precincts, on a number of referendum measures.[37] Partial correlation is a powerful method for keeping constant factors other than the one regarding which measurements are desired. The votes of the men and women were not kept separate in Oregon, and it was therefore necessary to imply how the women voted from the way in which the precincts went in which there was a relatively high number of women voting. The partial coëfficients enabled the investigators to keep constant a factor which they called a conservatism-radicalism factor.

Ten years later, Ogburn and Talbot applied the same technique to the analysis of factors in the presidential election of 1928.[38] In this second study, five factors which appeared to have some influence upon the result of the election were analyzed, and the relative importance of each was determined by the regression equations. It happened that in this study the five factors selected, namely, foreign-born influence, rural influence, Democratic influence, Catholic influence, and wet influence, included a fairly large percentage of the effective influences as shown by the coëfficient of

[35] C. H. Wooddy and S. A. Stouffer, "Local Option and Public Opinion," *American Journal of Sociology*, Vol. 36, pp. 175–205 (September, 1930).

[36] Rice, *Quantitative Methods in Politics* Chap. XXI.

[37] W. F. Ogburn and Inez Goltra, "How Women Vote," *Political Science Quarterly*, Vol. 34, pp. 413–433, (September, 1919).

[38] W. F. Ogburn and Nell Snow Talbot, "A Measurement of the Factors in the Presidential Election of 1928," *Social Forces*, Vol. 8, pp. 175–183 (December, 1929). See also J. A. Neprash, *The Brookhart Campaigns in Iowa, 1920–1926* (New York, Columbia University Press, 1932).

[39] C. H. Wooddy, *The Case of Frank L. Smith* (Chicago, 1931), Appendix V, "Statistical Studies of Illinois Elections."

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multiple correlation. But this might not always be the case in analyzing elections by this method, as is shown by Wooddy and Stouffer's analysis of Illinois elections.[39] On the basis of their partial coëfficients calculated from data regarding election returns from 1918 to 1928, these investigators concluded that party regularity was the most important factor in Illinois elections. As is well known, the lines of party regularity were shattered in the Illinois election of November, 1930. However, one of my students found that the coëfficient of correlation between the Republican vote for 1926 and the Republican vote for 1930 by counties was high, namely +.79.[40] In other words, the losses which the Republican party suffered in the state were fairly constant as among the different counties. Where changes are so evenly distributed as in this case, the time series method is more appropriate.

The method of correlation is useful in studying other political problems. Dr. Madge McKinney has made a study of certain characteristics of citizenship by means of correlating combined ratings with test scores on a questionnaire.[41] Thurstone has projected a series of research projects which involve intercorrelations between the scores on a number of his attitude scales. He hopes that this will throw some light upon patterns of atypical opinions. The possibilities of the fruitful use of correlation seem to be limited by the absence of available data on some problems, the lack of familiarity with the technique among political scientists, the laboriousness of the process, and the deficiency of suggestive hypotheses.

There are many other statistical techniques which might be used in solving political problems, but for lack of space they will not be discussed here. Among these techniques should be mentioned map making,[42] index numbers,[43] forecasting[44] and various applications of the theory of probability, particularly to sampling. The device of partial correlation suggests the use of another type of sampling,

[40] Mr. Max White.

[41] University of Chicago Ph.D. thesis, 1927.

[42] For maps of presidential elections, see C. O. Paullin, *Atlas of the Historical Geography of the United States* (Washington and New York, 1932). Some use of maps is made in my *Why Europe Votes* (Chicago, 1930).

[43] Lundberg, *op. cit.*, Chaps. x-xi.

[44] Claude E. Robinson, *Straw Votes; A Study of Political Prediction* (New York, Columbia University Press, 1932). See also Robinson's preliminary analysis of the 1932 returns of the *Literary Digest* and Hearst polls in the *New York Times*, October 16, 1932, section 8.

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namely, sampling to keep certain factors constant. In my study, *Getting Out the Vote*, an endeavor was made to measure the influence of a non-partisan canvass to get out the vote by matching the halves of selected precincts as to certain relevant factors. Thurstone measured the influence of a particular motion picture on the attitudes of high school pupils by having one of his attitude scales filled out before and after the showing of the picture.[45] There are various other ways of establishing what might be called a control group.

In this brief summary, I have tried to outline some of the possible uses of statistics in the fields of political parties, public opinion, citizenship, legislative behavior, and political psychology. The statistical method is one of many methods that can be used to study political behavior. Very frequently, a quantitative study points the way for intensive qualitative studies of a particular sort. The interpretation of a statistical result always calls for logical inference and general familiarity with the materials. There are on hand a number of powerful statistical techniques developed by other disciplines which can be used by political scientists in connection with political research as soon as some rational hypotheses are developed, and as soon as some methods are devised for collecting more complete and reliable original data. If any so-called laws of political science are to be invented, it is likely that they will be expressed, not as invariant mechanical relationships, but as tendencies, trends, and average relationships.

[45] L. L. Thurstone, "Influence of Motion Pictures on Children's Attitudes," *Journal of Social Psychology*, Vol. 2, pp. 291–305 (August, 1931).

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Second Session of the Seventy-second Congress, December 5, 1932, to March 4, 1933.[1] The great game of politics was played throughout this session. The players, holding poor hands and distracted by thoughts of the new deal that was to come, faced a difficult situation. The presence of 158 members retired by the voters in the November elections gave a cast of uncertainty and unreality to the assembly. Deducting the six vacancies in the House, 219 Democrats confronted 209 Republicans, and in the Senate the count stood 48 Republicans to 47 Democrats. The Farmer-Laborites had one spokesman in each chamber. Here was a Congress, divided in control, weakened by the presence of repudiated representatives, and under the discredited leadership of a defeated president, but nevertheless faced with perplexing problems of national and world import arising in a highly critical period. The necessities of the time called for co-operative planning and swift, united action, but the exigencies of politics suggested procrastination and obstruction. And the latter considerations prevailed.

Every recommendation for action was capable of interpretation from a partisan viewpoint, and neither side appeared willing to give its opponents the benefit of the doubt in judging the disinterestedness or the wisdom of the proposals made. The political contest was such as to elicit reactions least conducive to understanding and mutual support. Without reference to the motives of the leaders on either side, circumstances were such as to produce stalemate and inaction.

Of the lame-ducks, little could be expected in the way of coöperation. Defeated congressmen have frequently been found trouble-makers and mischief-mongers. A desire to avenge political slights while there is yet time leads to some abuses by such representatives. A wish to secure a government position for the lean years to come prompts others; while some are inspired to leave a favorable final impression before retiring from public life. The ratification of the Twentieth Amendment recognizes that the days of the stage-coach are gone, but the period from November to January leaves open the way to inconvenience and possible harm. The anomaly of retaining in office those repudiated at the polls naturally detracted from the representative character of the Congress during the session reviewed and rendered responsible party control all the more difficult. One has but to turn to the sessions of 1918 and 1910 to find similar periods of confusion.

[1] For notes on the 72d Congress, 1st Session, see this REVIEW, Vol. 26, p. 846. For notes prepared by Arthur Macmahon on the 71st Congress, see Vol. 24, pp. 38 and 913, and Vol. 25, p. 932. For notes on the 70th Congress, see Vol. 22, p. 650, and Vol. 23, p. 364; and on the 69th Congress, Vol. 20, p. 604, and Vol. 21, p. 297.

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PARTY ORGANIZATION IN THE SEVENTY-SECOND CONGRESS, SECOND SESSION

House Democrats

Garner, J. N., Tex., Speaker
Rainey, H. T., Ill., Majority Floor Leader
McDuffie, John, Ala., Whip and Chairman Joint Committee
Kniffin, F. C., Ohio, Assistant Whip
Milligan, J. L., Mo., Assistant Whip
Pou, E. W., N. C., Chairman Rules Committee

Committee on Committees

Collier, J. W., Miss.
Rainey, H. T., Ill.
Doughton, R. L., N. C.
Ragon, Heartsill, Ark.
Hill, S. B., Wash.
Canfield, H. C., Ind.
Cullen, T. H., N. Y.
Sullivan, C. D., N. Y.
Sanders, M. G., Tex.
McCormack, J. W., Mass.
Dickinson, C. C., Mo.
Lewis, D. J., Md.
Vinson, F. M., Ky.
Cooper, Jere, Tenn.

Policy Committee

Rainey, H. T., Ill.
Byrns, J. W., Tenn.
Cullen, T. H., N. Y.
Crisp, C. R., Ga.
Bankhead, W. B., Ala.
Taylor, E. T., Colo.
Drewry, T. H., Va.
Sandlin, J. N., La.
Greenwood, A. H., Ind.
Garner, J. N., Tex.

Arnold, W. W., Ill., Chairman Democratic Caucus

House Republicans

Snell, B. H., N. Y., Minority Floor Leader
Bachmann, C. G., W. Va., Whip

Committee on Committees

Barbour, H. E., Calif.
Hardy, G. U., Colo.
Freeman, R. P., Conn.
Houston, R. G., Del.
French, B. L., Idaho
Holaday, W. P., Ill.
Purnell, F. S., Ind.
Dowell, C. C., Iowa
Guyer, U. S., Kans.
Finley, Charles, Ky.
Beedy, C. L., Me.
Treadway, A. T., Mass.
Mapes, C. E., Mich.
Clague, Frank, Minn.
Dyer, L. C., Mo.
Leavitt, Scott, Mont.
Baldridge, M. B., Nebr.
Arentz, S. S., Nev.
Wason, E. H., N. H.
Bacharach, Isaac, N. J.
Parker, J. S., N. Y.
Burtness, O. B., N. Dak.
Cooper, J. G., Ohio
Garber, M. C., Okla.
Hawley, W. C., Ore.
Darrow, G. P., Pa.
Burdick, Clark, R. I.
Williamson, William, S. Dak.
Taylor, J. W., Tenn.
Loofbourow, F. C., Utah
Gibson, E. W., Vt.
Lankford, Menalcus, Va.
Hadley, L. H., Wash.
Bachmann, C. G., W. Va.
Frear, J. A., Wis.
Carter, Vincent, Wyo.

Hawley, W. C., Ore., Chairman Republican Conference

Senate Democrats

Robinson, J. T., Ark., Minority Floor Leader
Walsh, T. J., Mont., Assistant Minority Floor Leader, and Vice-Chairman Democratic Conference
Sheppard, Morris, Tex., Whip

Steering Committee

Robinson, J. T., Ark., ex off.
Walsh, T. J., Mont., ex off.
Sheppard, Morris, Tex., ex off.
Swanson, C. A., Va.
Kendrick, J. B., Wyo.
Ashurst, H. F., Ariz.
King, W. H., Utah
Broussard, E. S., La.
McKellar, Kenneth, Tenn.
Copeland, R. S., N. Y.
Tydings, M. E., Md.
Fletcher, D. U., Fla.
Harris, W. J., Ga.

Policy Committee

Robinson, J. T., Ark.
Walsh, T. J., Mont.
Harrison, Pat, Miss.
Pittman, Key, Nev.
Walsh, D. I., Mass.
Glass, Carter, Va.
Bulkley, R. J., Ohio
Wagner, R. F., N. Y.
Hull, Cordell, Tenn.
Barkley, A. W., Ky.

Senate Republicans

Moses, G. H., N. H., President Pro Tem., an Chairman Rules Committee
Watson, J. E., Ind., Majority Floor Leader
McNary, C. L., Ore., Assistant Majority Floor Leader
Fess, S. D., Ohio, Whip

Steering Committee

Vandenburg, A. H., Mich.
Hastings, D. O., Del.
Frazier, L. J., N. Dak.
Kean, H. F., N. J.
Steiwer, Frederick, Ore.

Committee on Committees

McNary, C. L., Ore.
Moses, G. H., N. H.
Smoot, Reed, Utah
Reed, D. A., Pa.
Oddie, T. L., Nev.
Nye, G. P., N. Dak.
Bingham, Hiram, Conn.
Capper, Arthur, Kans.
Hastings, D. O., Del.

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Most outstanding in this session of futility was the confusion of purpose arising from lack of acknowledged leadership. Said Representative Pittenger: "The facts are that the present short session of Congress has failed in every promise that was made last fall, but that failure cannot be charged to the lame-ducks. It is a failure of party leadership." It is this, rather than any procedural changes or legislative accomplishments, that constitutes the peculiar interest of the session. The very weight and scope of the problems that pressed for attention in the limited time discouraged hope of real accomplishment. The uncertainty as to the President-elect's program, the threat of presidential veto, and the unwillingness of either side to accept responsibility boded ill for successful action on pressing problems.

The President and the President-elect. The maneuvering on the part of Mr. Hoover and Mr. Roosevelt revolved around the possibility of a coalition government. With economic conditions too critical to justify a passive drifting from November 8 until March 4, speculation ran riot as to what might be done to bridge the interval. It was rumored that the President might make changes in the cabinet by bringing in some Democrats, or that Mr. Roosevelt might even be appointed secretary of state. Mr. Hoover and Mr. Curtis were then to resign, and Mr. Roosevelt would become president immediately. With such talk going the rounds, it appeared expedient at least to make an effort to dramatize coöperation between the incoming and outgoing administrations. This was provided in the exchange of messages between the President and the President-elect. The question might be raised whether such correspondence, obviously phrased with an eye to the public, was the best means of bringing about the rapprochement. On November 12, the President sent a long telegram inviting Mr. Roosevelt to a conference for discussion of the problems of debt revision that would continue into the new administration. The President-elect consented to come, but stipulated that the meeting should be personal and informal. He was willing to converse with Mr. Hoover before proceeding to Warm Springs for his conferences with party leaders, but he was chary of making any commitments. In December, further correspondence took place wherein Mr. Hoover invited his successor to join him in selecting a delegation to carry on the interlocking negotiations on disarmament and debts, and for a world economic conference. The offer was declined on the ground that joint responsibility could not be accepted for a program that might be interpreted, particularly by foreign nations, as committing the incoming administration.

The messages on both sides dripped with sweet assurances of polite intentions and good wishes. The economic situation called for a gesture of coöperation to encourage hopes of stabilization and constructive action, but the political alignment suggested the inexpediency of divided responsibility. Mr. Hoover's request for "coöperation" was interpreted in

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some quarters as little more than a proposal that Mr. Roosevelt agree with the President's plan for action. Democratic leaders regarded the former's advances as attempts to have their leaders pull the presidential chestnuts from the fire, and they warned Mr. Roosevelt upon his arrival in Washington to listen but do nothing. Nor did the atmosphere of the Red Room relieve the embarassment inherent in the meeting between a defeated president retaining office without power and a triumphant president-elect unwilling to assume leadership without office. Mr. Roosevelt wrote to Mr. Hoover: "I think you will recognize that it would be unwise for me to accept an apparent joint responsibility with you when, as a matter of constitutional fact, I would be wholly lacking in any attendant authority." Whether in fact the President-elect would have stood so stripped of power is perhaps open to doubt. But both had made their bows to an impatient public that looked with disfavor upon months of political fiddling. Coalition government was eliminated as a possibility, but whether this was due to a conflict of personalities or to inherent difficulties under our system is debatable.

The President-elect and Secretary Stimson discussed foreign affairs privately and informally on January 9 and 17, and Mr. Roosevelt's wishes prevailed when in the meeting with the President held on January 20 it was agreed that Great Britain, who had asked for the opening of negotiations on her debts to the United States, should be invited to confer with the new administration at an early date.

Arguments can be advanced to show the wisdom or the unwisdom of the moves taken by either side. If Mr. Hoover's game was to place Mr. Roosevelt in an awkward position, why identify his outgoing administration with policies that would be continued under the new régime, since in the event of failure the blame could be attributed to commitments made upon his initiation? If Mr. Hoover's suggestion was meant in all good faith, could the Democrats afford to reject his proposals and provoke criticism by prolonging the discord? If Mr. Roosevelt agreed to coöperate, could he be assured of equal power while accepting joint responsibility? In any event, would not sharing the burden silence Republican critics and provide the Democrats with an excuse in the future? With the political acumen that the President-elect had displayed throughout his campaign, he adroitly side-stepped the horns of any dilemma and withdrew from explicit leadership in national affairs.

This hands-off policy on the part of the President-elect was strikingly brought out in the circumstances surrounding the proclamation of the currency embargo. When the Michigan banks were closed and it became clear that other states would follow the same course, Secretary Mills prepared a document ordering a national bank holiday in the name of Herbert Hoover. Bankers looked hopefully toward Washington and

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urged that some action be taken to check the widening financial alarm. The crisis appeared so threatening by March 3 that urgent pleas were made by administration chiefs and by Mr. Hoover that the President-elect take joint responsibility in issuing the proclamation. Mr. Roosevelt replied that the banking crisis was so serious that responsibility for dealing with it must be taken by the President himself. Mr. Hoover rejoined that since the end of his term was so near, he was unwilling to exercise his power so drastically. This waiting for a fixed hour at which a transfer of authority was to be consummated thus held up the proclamation that had been in readiness for weeks, and which was subsequently issued under substantially the same terms in the name of the new President. The stalemate is certainly a striking illustration of the extremes to which the presidential system can go in retaining in office an official without political power to act and in withholding from command a leader with political authority but no legal powers. Neither the merit nor the need of the proposal, both of which were vindicated by subsequent events, served as a sufficient spur for action to either leader. An ambiguous political context and the absence of a clear mandate precluded coöperative action or independent initiative. Considerations of personal prestige, the reaction of the public, and the political alignment in Congress affected the purely economic factors. The incident made a fitting climax to the game of politics that was played out to the very end of the Seventy-second Congress, and the experience of this Congress showed that the substantive content of recommendations submitted cannot be dissociated from considerations of their political sponsorship. It appears from the struggles which took place between the Chief Executive and Congress that the road to recovery was greatly obstructed by the rigid presidential system which made concerted action difficult in the first session, and which transformed the second session into one of futility and frustration.

One aspect of the office of the Chief Executive which received emphasis during this time, and became of increasing significance as the new administration approached, was what may be termed the institutional character of the presidency: the chief magistracy viewed as a clearing house for expert advice from all quarters. The critical examination of data and the framing of definite proposals based upon what seems economically sound and politically feasible results in legislation through a process of presidential predigestion that leaves Congress with little more than the task of formal ratification. Mr. Hoover (though not to the same extent as Mr. Roosevelt) served as a receptacle for expert knowledge, both official and unofficial. During the second session, he made some recommendations to Congress that closely paralleled those later made by the new President. Coming from one in an untenable political position, these recommendations proved of little avail.

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The President-elect and Congress. Although Mr. Roosevelt refrained from actually taking the lead to the extent of presenting Congress with a definite program, his influence upon legislation was inescapable. His contacts with the national legislature were made through special emissaries or informal private conferences with certain leaders. A feeling of resentment was observed among some in Congress who, ruffled at being ignored by Mr. Roosevelt since the campaign, found that professors and experts were being freely consulted upon problems demanding legislative action. This holding-off was contrasted with the methods of Woodrow Wilson, who immediately after his election in 1912 conferred with legislative leaders and drafted tariff and currency legislation long before March 4. The conferences at Warm Springs with party leaders were reported as friendly meetings at which the President-elect pleased all his visitors, including the Progressive Republican senators, but made no definite promises. Said Representative Schafer: "You do not know where the next President stands on any question. He is here today and there tomorrow. Your Democratic party does not have a program, and the record shows it."

Although the strategy of non-interference on the part of the President-elect was regarded as wiser in the absence of any sanction for forcing Congressional action, still the will of Mr. Roosevelt appeared on several occasions. He let the Democratic leaders know that he would feel no reluctance to exercise wide powers, once he was in office. At a conference held on January 5, he signified his willingness to take the lead in matters of taxation and economy in the new administration. His influence came to the surface when in the latter part of December the House Democratic leaders expressed their willingness to abandon an effort to enact revenue legislation during the lame-duck session and postpone any attempt to balance the budget. Mr. Roosevelt expressed his opposition to the manufacturers' sales tax. His threat to split with the House leaders if they went forward with their revenue plan was apparently sufficient to forestall action. He had nothing to say on the Glass banking bill until the measure reached the House, and no word was forthcoming on the Collier beer bill. Although he advocated farm relief legislation, this problem during the session was left largely in the hands of the farm organizations. During the latter part of the session, he remained out of touch with Congress—deliberately, many thought.

The President and Congress. The relations of the Chief Executive with the legislative chambers were far from harmonious. The resolution to investigate the impeachment charges of Representative McFadden was voted down December 13 by 361 to 8 without debate. A second effort made on January 17 was likewise frowned upon. An examination of the *Congressional Record* discloses little bitter criticism of the President, al-

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though it is clear that a lack of confidence in his leadership prevailed. The actions of Congress speak more eloquently than its words.

Appointments. Mr. Hoover's part in executive appointments was checkmated very soon. Washington was overrun with office-seekers clamoring for attention and distracting the already harassed members of Congress. The question of appointments came to the formal attention of the Senate on December 14, when a proposal to go into executive session to consider executive nominations was voted down 37 to 44 (see table of Senate roll calls). The opinion prevailed that inasmuch as no executive sessions had been held during the short session following the election of 1920, action upon nominations in the second session of the Seventy-second Congress should be confined to routine appointments or to vacancies arising before March 4, 1933. The situation in 1920 did not provide an exact precedent, since during President Wilson's last days the Republicans were in control of the Senate by 49 to 47, whereas President Hoover and the Senate were in party agreement. But as Senator La-Follette stated: "Everyone knows that the minority have enough numerical strength to prevent a vote on any nominations. If we go into executive session, we will only be frittering away the time of the Senate in a controversy as to whether nominees for post offices and other appointments are to be considered." The action on the part of the Senate echoed the results of a conference of the leaders a week earlier with James A. Farley when it was agreed to postpone political appointments until the next administration.

The Veto. Mr. Hoover's veto power was one of the imponderables of the session, for it proved important not only as a power used, but as a power threatened. The failure of farm relief measures and of the beer bill is partly to be explained by reason of the President's rumored opposition.

During the session, the President sent three veto messages to Congress, two of which (S. 4340 on January 30 concerning claims of Seminole Indians, and H. R. 13975 on January 24 dealing with tax refund review provisions in the First Deficiency Bill) dealt chiefly with questions of jurisdiction. In the case of the latter bill, the issue of constitutionality was raised. Following tax refunds to certain large corporations, including the Mellon interests, a paragraph was inserted in the First Deficiency Bill providing that a congressional committee should review all cases where a refund over $20,000 was involved. The President took the stand that this was legislative infringement upon an executive function. Disapproving of this item on constitutional grounds, he felt constrained to return the bill. His veto was upheld and the revised bill rapidly enacted. (See Tables D and G)

On January 13, Congress received the presidential message explaining

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the veto of the Philippine independence bill upon the ground that the period provided in the bill for economic readjustment was too short, and that prevailing conditions were generally unfavorable. The struggle over this bill exposed the various selfish interests which expected to profit by the "altruistic" freeing of the Philippines. Senator Copeland said: "I am not impressed by the fact that three farm organizations, the American Federation of Labor, the beet-sugar interests, the cottonseed oil interests, and other interests are advocating its passage." When the force of the anti-imperialists and the pacifists was added to these economic and sectional influences, a strong combination of *blocs* advocating independence was marshalled. Representative Dyer pointed out that the forces on the other side were the Americans in business in the Philippines, together with the army and navy men stationed there. "They do not want to be deprived of the service over there," he explained, "and their influence with the Secretary of War and the Secretary of the Navy, and these two cabinet officers with the President of the United States, in my judgment, is the whole trouble against giving the Filipinos independence." This interpretation was given added force when the President made public the communications received from his cabinet officers on the subject. The debates in Congress stressed trade relations and the amount of expenditures by the United States in the islands. Economic considerations appeared to be the determining factor. The bill was promptly passed over the presidential veto by the House on the same day and by the Senate four days later. (See Tables F, G, and H)

Presidential Messages. Although the recommendations of the President were with few exceptions acted upon in some form or other during the first session, an appraisal of the executive proposals clearly shows how greatly his legislative leadership was eclipsed in the period following the election. This failure to procure action is emphasized when it is noted that the only positive proposal in the presidential messages to be acted upon favorably by Congress was the act amending the bankruptcy laws by providing for debt adjustments. Presidential views regarding the reduction of public works expenditures and the discontinuance of federal highway aid were upheld to the extent that no contrary action was taken by Congress. Mr. Hoover's messages mentioned nearly a score of definite subjects upon which he recommended action. A few of the measures were passed by one house or the other, though none but the bankruptcy bill reached final enactment. That the opposition was due almost entirely to political considerations is clear when the action upon similar proposals in the present administration is considered—such as federal pay cuts, reduction of veterans' benefits, and reorganization of the executive establishment.

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TABLE A. LEGISLATION PROPOSED BY PRESIDENT AND ENACTED BY CONGRESS

Subject	Designation	Passed House	Passed Senate	Approved
1. Provision for new bankruptcy procedure for individuals and railroads	HR14359	Jan. 30	Feb. 27	Mar. 3

TABLE B. LEGISLATION PROPOSED BY PRESIDENT BUT NOT ENACTED BY CONGRESS

Subject	Designation	Passed House	Passed Senate
1. Reorganization of executive agencies	Disapproved in H. Res. 334	Jan. 19	—
2. Further reduction of federal pay by 11 per cent	—	—	—
3. Reduction of statutory payments to war veterans	—	—	—
4. Enactment of general manufacturers' sales tax	—	—	—
5. Continuation of federal gasoline tax	HR14416	Jan. 30	—
6. Ratification of St. Lawrence Waterway treaty	—	—	—
7. Reorganization of Federal Reserve and national banking systems (Glass bill)	S. 4412	—	Jan. 25
8. Liberalization of R.F.C. relief loans to states and municipalities (Wagner bill)	Included in S 5125	—	Feb. 20
9. Provision for government lease of marginal agricultural lands	—	—	—
10. Repeal of publicity provisions for R.F.C. loans	—	—	—
11. Expansion of home loan banks into general mortgage discount system	—	—	—
12. Ratification of treaty governing international armament shipments	—	—	—
13. Authorization for President to proclaim embargo on armament shipments	S.J. Res. 229	—	Jan. 19 but reconsidered
14. Further regulation of transportation and power industries	—	—	—
15. Modification of anti-trust laws in connection with natural resource industries	—	—	—
16. Provision for federal aid to child health services	—	—	—
17. Regulation of grazing on western ranges (Colton bill)	HR 11816	Feb. 7	—
18. Revision of federal court procedure	—	—	—
19. Creation of commission to reconsider foreign war debt question	—	—	—

Appropriations. The major problems confronting Congress were financial, but the politics and economics of expenditures and revenue became inextricably entangled. In his budget message of December 7, the President recommended for the fiscal year ending June 30, 1934, the appropriation of $4,218,808,344. He reported that "in spite of the large reduction in expenditures, the revenues under existing laws are expected to fall short of providing sufficient money to avoid a further increase in the public debt for the fiscal year 1934 by about $307,000,000." To meet the situation, he recommended a temporary reduction in the pay of the federal personnel and in veterans' benefits. A continuation of the gasoline tax and the levy of a manufacturers' sales tax were to bring in the additional revenue. Utter failure was the outcome of this financial program. The fate of these suggestions, taken with the treatment of the other executive recommendations, furnishes the best commentary upon the position of the President in relation to Congress. The sales tax proposal was killed when the House ways and means committee, by a vote of 14 to 10 on January 20, decided against the suggestion, although three days earlier the President had again urged the matter in a special message. The Demo-

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cratic leaders declined to entertain the idea of a sales tax and agreed to put through no new revenue legislation during the session. The House voted to extend beyond June 30, 1933, the one-year gasoline tax imposed by the 1932 Revenue Act, but the Senate's failure to act brought the matter to nothing.

The President was able to check appropriations for the veterans only by placing a pocket veto upon the Independent Offices Appropriation Bill, which carried nearly a billion dollars for the ex-service men. This bill, together with the District of Columbia Supply Bill, which died in conference, were the two appropriation acts that failed of enactment in the second session. The appropriations finally made for 1933–34 totaled $1,879,195,000, in contrast to $2,121,660,000 provided in corresponding supply bills put through during the first session.

The enactment of these supply bills was complicated by the amendments and riders designed to put through some controversial policies. For example, the House provided by amendment to the Department of Justice Bill that money should not be expended for compensating informers or for purchasing liquor to be used as evidence in prohibition enforcement. An amendment to the Independent Offices Bill brought up the question of continuing the investigation of public utilities by the Federal Trade Commission. Questions of politics were found to be bound up with problems of finance. This developed very clearly in the prolonged discussion over the numerous amendments to the Treasury-Post Office Appropriation Bill brought up in the Senate. Controversies over the ocean mail subsidies resulted in the defeat of a proposal to reduce the $35,000,000 ocean mail appropriation by one-half. Air mail appropriations of $19,000,000 were eliminated pending further investigation, although a compromise provision, later accepted, made $15,000,000 available for 1933–34. The Johnson "Buy American" amendment, applicable to all purchases of government supplies, was agreed to in the Senate under a suspension of the rules and later accepted by the House, which had already passed a bill for the same purpose. The Bratton amendment proposed a 5 per cent reduction of all appropriations for the fiscal year 1933–34, but was not accepted by the House.

In the consideration of the Treasury-Post Office Bill, presidential recommendations again impinged. The Chief Executive had urged that the $8\frac{1}{3}$ per cent federal pay reduction provided during the first session be supplemented by a cut of 11 per cent, but Congress did not respond favorably. However, the salary reductions of the Economy Act of 1932, together with other economy provisions, were extended through the fiscal year 1933–34. The Senate voted down a proposal to increase the reduction percentage to a full 10 per cent.

The practice of confusing fiscal legislation by adding other issues is

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illustrated in the number and variety of the important amendments to the appropriation bills, as presented in Table C.

TABLE C. AMENDMENTS TO APPROPRIATION BILLS

Subject	Bill	Passed House	Passed Senate
Amendments Enacted:			
1. Authorization for President to reorganize executive agencies	Treas.-P.O.	Mar. 1	Feb. 7
2. Requirement that government purchases be American-made	Treas.-P.O.	Mar. 1	Feb. 3
3. Reduction of air mail subsidy	Treas.-P.O.	Mar. 1	Feb. 1
4. Continuation and extension of furloughs for federal employees	Treas.-P.O.	Dec. 15	Feb. 7
5. Prohibition of wire-tapping, purchase of liquor, and payment of informers in prohibition enforcement	State-Justice-Commerce-Labor	Jan. 28	Feb. 16
6. Retention of citizens' military training camps	War	Jan. 24	Feb. 13
Amendments not Enacted:			
1. Further reduction of federal pay by 1⅔ per cent	Treas.-P.O.	—	—
2. Reduction of ocean mail subsidy by 50 per cent	Treas.-P.O.	—	—
3. Requirement that department heads reduce expenditures 5 per cent below appropriations	Treas.-P.O.	—	—
4. Provision for care of homeless boys in army camps	War	—	Feb. 13
5. Curtailment of Federal Trade Commission's public utility investigations	Independent Offices	Feb. 3	—

Although the subcommittees of the House committee on appropriations began their consideration of the budget estimates in the middle of November, the supply bills met with the usual delay. It was February before the Senate passed any of them, and by the 17th of the month the Interior Department Bill was the only one that had been finally enacted. The following table presents some idea of the course of these appropriation bills through Congress. There was no roll call on any of these measures.

TABLE D. APPROPRIATION BILLS

Subject	Designation	Reported by House Com.	Passed House	Reported by Senate Com.	Passed Senate	Conference Report Adopted		Approved by President
						House	Senate	
1. Treasury-Post Office	HR 13520	Dec. 10	Dec. 15	Jan. 9	Feb. 7	Mar. 1	Mar. 3	Mar. 3
2. Interior	HR 13710	Dec. 15	Dec. 27	Jan. 25	Feb. 8	Feb. 15	Feb. 14	Feb. 17
3. Agriculture	HR 13872	Dec. 22	Dec. 30	Jan. 31	Feb. 9	Feb. 27	Feb. 24	Mar. 3
4. 1st Deficiency (original)	HR 13975	Dec. 30	Jan. 4	Jan. 9	Jan. 12	Jan. 17	Jan. 17	Vetoed Jan. 24
5. War	HR 14199	Jan. 12	Jan. 24	Feb. 6	Feb. 13	Mar. 3	Mar. 3	Mar. 4
6. State-Justice-Commerce-Labor	HR 14363	Jan. 21	Jan. 28	Feb. 10	Feb. 16	Feb. 25	Feb. 25	Mar. 1
7. 1st Deficiency (revised)	HR 14436	Jan. 27	Jan. 27	Jan. 27	Jan. 28	—	—	Jan. 30
8. Executive and Independent Offices	HR 14458	Jan. 27	Feb. 3	Feb. 11	Feb. 23	Mar. 3	Mar. 3	Pocket veto Mar. 4
9. Legislative	HR 14562	Feb. 3	Feb. 4	Feb. 16	Feb. 23	—	—	Feb. 28
10. District of Columbia	HR 14643	Feb. 11	Feb. 18	Feb. 27	Mar. 3	Died in conference		—
11. Navy	HR 14724	Feb. 20	Feb. 23	Feb. 25	Feb. 28	Mar. 2	Mar. 1	Mar. 3
12. 2d Deficiency	HR 14769	Feb. 24	Feb. 25	Feb. 28	Mar. 3	Mar. 3	Mar. 4	Mar. 4

Reorganization. Under the terms of the Economy Act of 1932, President Hoover sent to Congress on December 9 a series of executive orders regrouping 58 agencies within the federal administration. The fate of these

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proposals recalls once more the futility of the interregnum and the dominance of partisan considerations. The House, on January 19, rejected the President's suggestions by a vote of 202 to 176. (See Table G) It was argued that the new administration should have the opportunity of initiating, as well as the responsibility of carrying out, the changes in the executive departments. "Is that a reason, or just politics?," queried Floor Leader Snell. "I say it is not only politics, but partisan politics." "I propose to let the country know," he continued, "that the Democratic majority in the House by caucus action bound their members to delay and destroy the most definite proposal thus far before us to bring about economy in executive departments."

In an amendment to the Treasury-Post Office Bill, the problem of reorganization was tackled with renewed vigor. The Democratic leaders were determined that the new President should have ample authority to make all needed changes. Said Representative Ludlow: "The order given to President Hoover was no such proposal as the one now before us. It did not grant him authority to abolish one solitary governmental agency of any kind. About all his plan amounted to . . . was to play solitaire with the bureaus and commissions, moving them from one place to another, regrouping and rearranging them; but it did not abolish a bureau, fire a bureaucrat, or save a dollar." Of the new provisions, no such statements could be made. The Chief Executive was granted, for the period of two years, the power to "abolish the whole or any part of any executive agency and/or the functions thereof," except that the ten departments were to remain. The act provided that the President submit to Congress the executive orders carrying out this authority. These orders become effective sixty days thereafter unless Congress by a two-thirds vote enacts amendatory measures. The possible encroachment of the executive power upon Congress was debated and various amendments considered. One Republican representative voiced a general view when he said: "We need not worry about usurpations of power. Let us get results. Let us proceed in the only way that has any promise of success."

The Legislative Process. The course of legislation during the session was not however, highly promising of success. What is revealed most clearly is the hazardous maze of our law-making process and the dangers that befall bills when they are submerged in partisan conflict and left without the guidance of accepted leadership. The amendment of the unemployment relief and construction act which passed the Senate February 20 was not reported out of committee in the House. The Glass banking bill was put through the Senate after the Long filibuster, only to languish in the House unreported by the banking and currency committee. Meanwhile, the Senate banking and currency committee withheld action on the Steagall bill which had passed the House during the first session. The

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measure provided for a guaranty fund for depositors in member banks of the Federal Reserve system. Agricultural relief legislation fared no better. A domestic allotment scheme to raise the price of farm products and adjust the ratio with the cost of goods purchased by the farmer caused consideration of numerous amendments and the inclusion of several additional commodities under the benefits of the bill before it passed the House on January 12. The Senate committee on agriculture refused to report out this measure and brought forward a substitute bill which was not considered by the Senate. A similar fate met the Colton bill to regulate grazing on the public domain by establishing range districts. The bill passed the House on February 7, but was not taken up in the Senate.

In Table E, showing the matters brought up in Congress but not enacted, this disagreement between the two houses is clearly shown.

TABLE E. LEGISLATION INITIATED IN CONGRESS BUT NOT ENACTED

Subject	Designation	Passed House	Passed Senate
Bills:			
1. Liberalization of R. F. C. construction and relief loans (Wagner bill)	Passed as Amend. to S. 5125	—	Feb. 20
2. Provision for federal grants to states for relief (Costigan-LaFollette bill) (Original provisions displaced by Wagner amendment above)	S. 5125	—	Feb. 20
3. Provision for 30-hour week in industry (Black bill)	S. 5267	—	—
4. Provision for R.F.C. loans for mortgagees agreeing not to foreclose	S. 5639	—	Mar. 1
5. Provision for moratorium on debts of insolvent municipal corporations	HR 14789	—	—
6. Provision for agricultural relief through domestic allotment plan (Jones bill)	HR 13991	Jan. 12	—
7. Provision for cotton pool, with government purchase and sale (Smith-Jones bill)	S. 5122	Feb. 28	Feb. 18 (Pocket veto Mar. 4)
8. Increase in tariffs to offset depreciated foreign currencies (Crowther bill)	HR 8557	—	—
9. Legalization and taxation of beer (Collier bill)	HR 13742	Dec. 21	—
10. Liberalization of medicinal liquor laws (Celler bill)	HR 14395	Feb. 25	—
11. Provision that it shall be crime to advocate overthrow of government by force	HR 8378	—	—
Resolutions:			
1. Proposal of constitutional amendment prohibiting tax exempt securities	S.J. Res 251	—	—
2. Impeachment of President Hoover	H. Res. 318	—	—

The legislative product of the session totaled 318 bills which finally became law—158 House bills and 128 Senate bills. Although in the course of the session the President transmitted to Congress 25 messages, the influence of the Chief Executive is directly discernible only in the case of the bankruptcy bill. The table on page 417 shows the more important legislation initiated in Congress and enacted.

Party Control. During the session, so few measures were considered by both houses and voted upon with record roll calls that it is necessary to consider the legislative branches separately.

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TABLE F. LEGISLATION INITIATED IN CONGRESS AND ENACTED

Subject	Designation	Passed House	Passed Senate	Approved by President
Bills:				
1. Provision for independence of Philippine Islands	HR 7233	1st Sess.	Dec. 17	Vetoed Jan. 13
	HR 7233	Jan. 13	Jan. 17	—
2. Continuation of provisions of Glass-Steagall banking bill of 1932	S. 5484	Jan. 30	Jan. 21	Feb. 3
3. Provision for additional banking powers for comptroller of currency (Couzens res.)	S.J.Res. 256	Feb. 25	Feb. 22	Feb. 25
4. Provision for moratorium on payments to federal land banks	S. 5337	Feb. 27	Feb. 25	Mar. 4
5. Continuation of moratorium on payments to reclamation districts	S. 5417	Feb. 27	Feb. 9	Mar. 3
6. Provision for additional R.F.C. loans for crop production and harvesting	S. 5160	Jan. 16	Dec. 22	Feb. 4
7 Authorization of distribution of government cotton through Red Cross	HR 13607	Dec. 19	Jan. 3	Feb. 8
Resolutions:				
1. Impeachment of Judge Louderbach (Senate concurrence unnecessary)	Substitute for H.Res. 387	Feb. 24	—	—
2. Publication of R.F.C. loan reports (Senate concurrence unnecessary)	H.Res. 335	Jan. 6	—	—
3. Proposal of repeal of Eighteenth Amendment (presidential approval unnecessary)	S.J. Res. 211	Feb. 20	Feb. 16	—

TABLE G. PRINCIPAL RECORD VOTES IN HOUSE

Subject	Designation	Date	Total vote (incl. Kvale)	Democratic vote	Republican vote
			Yea-Nay	Yea-Nay	Yea-Nay
Bills:					
1. Provision for independence of Philippine Islands (over veto—⅔ necessary)	HR 7233	Jan. 13	274- 94	191- 1	82- 93
2. Provision for deficiency appropriations and congressional review of tax refunds (over veto—⅔ necessary)	HR 13975	Jan. 24	193-158	178- 2	14-156
3. Legalization and taxation of beer (Collier bill)	HR 13742	Dec. 21	230-165	133- 64	96-101
4. Provision for agricultural relief through domestic allotment plan (Jones bill)	HR 13991	Jan. 12	203-152	139- 50	63-102
5. Provision for cotton pool, with government purchase and sale (Smith-Jones bill)	S. 5122	Feb. 28	188-183	163- 32	25-151
Resolutions:					
1. Proposal of repeal of Eighteenth Amendment (1st vote—⅔ necessary)	HJ.Res. 480	Dec. 5	272-144	168- 44	103-100
2. Proposal of repeal of Eighteenth Amendment (2d vote—⅔ necessary)	SJ Res. 211	Feb. 20	289-121	179- 32	109- 89
3. Disapproval of President's reorganization of executive agencies	HRes. 334	Jan. 19	202-176	198- 0	3-176
4. Impeachment of Judge Louderbach	Substitute for HRes. 387	Feb. 24	183-142	135- 38	47-104
Amendments:					
1. Retention of Federal Trade Commission's public utility investigations (Independent Offices Appropriation Bill)	—	Feb. 3	165-181	114- 66	50-115
2. Retention of citizens' military training camps (War Department Appropriation Bill)	—	Jan. 24	208-158	62-120	140- 37
Motion:					
1. Discharge of committee from consideration of Crowther tariff bill (HR 8557)	—	Feb. 13	174-212	3-195	171- 16

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TABLE H. PRINCIPAL RECORD VOTES IN SENATE

Subject	Designation	Date	Total vote (incl. Shipstead)	Democratic vote	Republican vote
			Yea–Nay	Yea–Nay	Yea–Nay
Bills:					
1. Reorganization of Federal Reserve and national banking systems (Glass bill)	S. 4412	Jan. 25	54– 9	26– 4	28– 4
2. Liberalization of R.F.C. construction and relief loans (Costigan-La Follette bill)	S. 5125	Feb. 20	54– 16	32– 5	22– 11
3. Provision for new bankruptcy procedure for individuals and railroads	HR 14359	Feb. 27	44– 8	22– 7	22– 1
4. Provision for independence of Philippine Islands (over veto—⅔ necessary)	HR 7233	Jan. 17	66– 26	45– 1	20– 25
Resolution:					
1. Proposal of repeal of Eighteenth Amendment (⅔ necessary)	S.J.Res. 211	Feb. 16	63– 23	33– 9	29– 14
Amendments:					
1. Provision for purchase and remonetization of silver (Glass bill)	—	Jan. 24	18– 56	12– 24	6– 32
2. Permission of branch banking in certain states (Glass bill)	—	Jan. 21	52– 17	33– 2	18– 15
3. Inclusion of railroads in Bankruptcy Bill	—	Feb. 27	42– 15	21– 10	21– 5
4. Substitution of R.F.C. loans for direct grants to states (Costigan-La Follette bill)	—	Feb. 20	44– 28	26– 12	18– 15
5. Retention of Federal power to regulate saloon (Prohibition Repeal resolution)	—	Feb. 15	32– 33	14– 21	17– 12
6. Requirement that department heads reduce expenditures 5 per cent (Treas.-P.O. Appro. Bill)	—	Feb. 7	50– 33	32– 8	18– 24
7. Requirement that government purchases be American-made (Treas.-P.O. Appro. Bill)	—	Feb. 3	41– 12	13– 11	28– 1
8. Increase of Federal pay cut by 1⅔ per cent (Treas.-P.O. Appro. Bill)	—	Feb. 7	39– 44	20– 20	19– 23
9. Elimination of air mail subsidy (Treas.-P.O. Appro. Bill)	—	Feb. 1	39– 35	30– 5	8– 30
10. Reduction of ocean mail subsidy by 50 per cent (Treas.-P.O. Appro. Bill)	—	Feb. 4	32– 36	24 – 7	7– 29
Motions:					
1. Provision for immediate consideration of beer bill (S. 4606)	—	Dec. 23	23– 48	12– 26	11– 21
2. Invocation of cloture rule on Glass bill (S. 4412—⅔ necessary)	—	Jan. 19	58– 30	34– 9	24– 20
3. Provision that Senate go into executive session to act on nominations	—	Dec. 14	37– 44	0– 41	37– 2

Sharp party alignments appear in connection with the measures where a conflict between Congress and the President occurred. The disagreements upon Philippine independence, the tax refund provisions in the First Deficiency Bill, and federal reorganization have already been noted. Democratic strength backed up the farm relief proposals, while the Republicans supported the opposing stand taken by Mr. Hoover. Presidential intervention in regard to the tariff brought the parties into forthright opposition.

Discharge Rule. This device was resorted to by the House Republicans when Floor Leader Snell circulated a petition to discharge the committee on ways and means from further considering the Crowther bill. This measure had been introduced to bring about a change in the tariff following Mr. Hoover's plea that depreciated currency abroad necessitated a readjustment of tariff rates. The Democratic caucus, by a vote of 161 to 4, expressed disapproval of the matter, and the House voted down the

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motion to discharge the committee, the Democrats acting in accord with Mr. Roosevelt's disapproval of tariff tinkering during the session.

Filibuster. The lack of party control in the Senate appeared when action was long delayed on the Glass banking bill, even though the two parties were, as the final vote demonstrated, in substantial agreement upon the measure. On January 10, Senator Long began his obstructionist tactics against the Glass bill and he carried through one of the most persistent filibusters in recent years. Although viewed chiefly as a great show by the galleries, his action brought forth caustic press criticism of the Senate as a whole. There was little consolation in the *Nation's* comment: "From a practical standpoint, it is not exaggeration to say that the Senate might just as well have been occupied with a filibuster; there is nothing to show that it would otherwise have been usefully engaged." Senator Long's tilts with Floor Leader Robinson demonstrated the divided leadership in the party, while attempts were made by both sides to involve Mr. Roosevelt. Senator Glass stated: "I feel authorized to say that the President-elect wants this bank bill passed." This support was likewise claimed by the "kingfish," and the filibuster continued, apparently unaffected by the fact that Senator Long and Mr. Roosevelt conferred when the latter visited the capital on January 15. The lame-ducks, Watson and Moses, were referred to by Senator Robinson as "Huey's cabinet" and accused of advising the senator in prolonging his opposition. The Republican command outwardly maintained a policy of non-interference, taking the stand that the problem was one for the Democrats to meet. Several measures limiting debate were proposed on January 17, and a cloture petition missed passage by one vote, the roll call being 30 to 58. A unanimous consent agreement sponsored by Senator Borah made it possible to secure a vote upon amendments to the bill, and finally a unanimous consent agreement introduced by one of the filibusterers, Senator Thomas of Oklahoma, brought the bill to successful passage on January 25.

The fact that the unanimous consent agreement adopted had the same effect as the cloture rule rejected was taken by some as an indication that the Senate wished to limit debate and at the same time save face. Still the need for expediting action remained, and on February 15 Senator Barkley offered a resolution which provided that during the remainder of the session debate by any senator be limited to one hour on any measure and to thirty minutes on any amendment. The proposal failed to secure unanimous consent, however, when Senator Fess explained that for eight days he had been awaiting an opportunity to address the Senate "at some length," and that he could not possibly do it within the limit fixed by the resolution. Throughout the discussions of cloture, it was clear that the desire for speedy action was in constant conflict with an ever stronger desire for unlimited debate. Even those disapproving of Senator Long's

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attitude supported his right to talk unhindered. The usually restrained *New York Times* referred editorially to the senator as "an impudent upstart," a "slave-driver," and "a hold-up man;" but the Senate was unwilling to shut off discussion by cloture even when the privilege of debate was being abused.

Wets and Drys. The leaders in the House, on the other hand, felt no hesitancy in trying to force action when they saw fit to do so. On the very first day of the session they attempted to secure the passage of a measure for the repeal of the Eighteenth Amendment. The action was prompted by the Democratic platform, and was sponsored by the Speaker. Democratic Floor Leader Rainey, under a suspension of the rules of the House, introduced the repeal measure under a special rule preventing amendments and limiting debate to twenty minutes for each side. The repeal measure failed by six votes to secure the two-thirds support necessary for a constitutional amendment. An analysis of this balloting shows that 150 "lame-ducks" voted on the Garner resolution, 81 opposing and 69 supporting the measure. A majority of these 81 had been defeated by wet candidates in the November elections. Of the Democratic "lame-ducks," 21 stood by Mr. Garner, but eleven adhered to the dry position. Although this rebuff to Democratic leadership can be accounted for in terms of the votes of defeated members, nevertheless the reasons for the favorable vote taken later in the session remain unexplained.[2]

The wets met with success in the House when, on December 21, the Collier beer bill was passed. The effort of Senator Bingham to bring the Senate promptly to consider the modification of the Volstead Act was characterized by Floor Leader Robinson as a Republican attempt "to make it appear that some members of the Senate are not loyal to their party platform." Mr. Bingham's proposal was voted down. Was the force of the liquor interests being gathered in order that a united front be presented for repeal, and beer attended to afterwards? Was the threat of a presidential veto an effective bar to beer legislation? To rationalize the actions of this past session, particularly upon this liquor legislation, is a hazardous enterprise.

By the middle of February, congressional opinion apparently had

[2] A shifting from the dry to the wet side is described by the *New York Times* for December 6, 1932, as follows: "Last March the House refused to take up a resolution for repeal submission, called the Beck-Linthicum resolution, by a vote of 227 to 187. Today, 66 of the Democrats and 13 of the Republicans who voted "no" on that resolution supported the Garner resolution. In 1917, the Eighteenth Amendment was adopted in the House by a vote of 282 to 128, and the Volstead Act carried over President Wilson's veto in 1919 by a vote of 175 to 55, with 198 not voting. Of 54 members of the present House who as members in 1919 supported the Volstead Act, 20 Democrats and 10 Republicans today voted with the Speaker, as contrasted to 9 Democrats and 15 Republicans who remained on the dry side."

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changed. With the adoption of the Blaine resolution (S. J. Res. 211), providing for repeal of the Eighteenth Amendment, the party promise was redeemed and the prestige of Congress in some measure restored. Unsuccessful efforts were made in the Senate to include amendments banning the saloon or regulating the place or conditions of sale. Discussion availed little, and the measure passed on February 16. The resolution was debated and passed the House on February 20. The speakers evoked the name of the American home, the words of the immortal Lincoln, the Constitution of the Fathers, and pointed to the curse of the saloon or the menace of the bootlegger. But the party caucus had determined the result: the Democrats stood 115 for the resolution and 46 against, with 30 refusing to be bound by caucus action. Republican Whip Bachmann had assured Speaker Garner of stronger Republican support than was forthcoming in December. With margin to spare, due chiefly to Democratic votes, the two-thirds majority was secured in both houses. (See Tables G and H.)

Conclusion. Any estimate of the significance of this last "lame-duck" session must take into account the difficulties in party alignment and in congressional leadership already discussed, and weigh at the same time the critical economic conditions aggravating the uncertain political situation. No session can be lightly dismissed as a do-nothing Congress that passed the Philippine independence bill, submitted the prohibition repeal amendment to the states, provided for sweeping changes in the bankruptcy laws, and empowered the President to reorganize the structure of the federal administration. Yet no remedies for the nation's economic ills were provided, and little relief was given to the distressed. While the politicians talked, the forces leading to the financial crisis gathered threateningly. A swan-song of this last of the lame-duck sessions of our Congress could present eloquent excuses for inaction. If proof of this faulty arrangement were needed, this session would provide conclusive evidence as to the danger and futility of retaining in office those already repudiated by the people at the polls.

The record of the session is not to be judged so much in terms of what it did as in terms of what it refrained from doing. No embarrassing commitments were made that would weaken the incoming administration: no revenue program was embarked upon, no inflationary measures put through, no super-tariff project undertaken. Efforts were made to secure legislation on all of these problems, and upon many more. The question of farm relief was left to be answered. The House declined to act upon the Wagner relief bill passed by the Senate, while the Senate in turn took no action on the World Court or the St. Lawrence Waterway treaties. The Glass banking bill, the Hull-Walcott farm mortgage bill, the Steagall bank deposit bill, the Goldsborough stabilization bill, were left to be

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carried over. Fortuitous conflicts served to forestall some enactments, but a definite feeling that the new President should be the man responsible for the solution of national problems restrained the legislative hand. If the Congress in this last session "did nothing in particular," from the viewpoint of the new administration it "did it very well."

Significant questions were considered and opportunity was given for the collection of information and for ventilating views pending the meeting of the new Congress. Committees in both houses held hearings upon the bills introduced by Senator Black and Representative Connery prohibiting from interstate commerce goods produced by persons working more than five days a week or six hours a day. The investigation of the stock market by the Senate banking and currency committee was continued, and the operations of the Insull utilities and the National City Bank of New York disclosed. The Senate finance committee, early in February, held hearings to discover ways of combatting the depression. By the time these Senate committees had finished their examination of business magnates, both honest and shady, it was clear to the public that human fallibility and ignorance were not confined to the halls of the legislature.

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Election Statistics in the United States. A valuable source of materials for the study of political behavior exists in the election returns that are lodged and compiled in the offices of state, county, and municipal authorities. An increasing number of studies have shown how fruitfully these materials can be used with a variety of types of correlations. The difficulties attendant upon anything like a complete collection of all of the electoral information for the entire country, however, have discouraged more extensive utilization of this valuable source of research data. The investigator who attempts to study political phenomena over a considerable area is now handicapped by having to devote much time and energy to the mere physical accumulation of statistical materials from a number of more or less adequate sources. The purpose of this note is primarily to show the present situation in regard to the collection and publication of election returns,[1] and incidentally what can be obtained from each state.

[1] Based on a preliminary survey of election statistics conducted at the request of the Council for Research in the Social Sciences of Columbia University. It resulted from a suggestion (sponsored by Professors Arthur W. Macmahon and Joseph D. McGoldrick) that it was desirable to consider the possibility of the publication, under suitable auspices, of an annual and fairly comprehensive compilation of election statistics. An investigation was made, but temporarily at least the general situation has precluded further action.

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Secondarily, suggestions are offered regarding the urgent need for improvement in the situation and lines along which it may be sought.

There are available certain unofficial nation-wide compilations of election returns in the almanacs published by newspapers, the best known being the *World Almanac*. These are valuable sources of general information for the public, but none is adequate for scholarly research or is likely to be made so. Their figures are assembled in haste, and must often be printed before the official returns of state canvassing boards become available. Frequent instances of carelessness are illustrated by the fact that in reporting the 1928 election one of the leading almanacs exchanged Republican and Democratic columns in announcing returns for presidential electors in two states. As an illustration of the inadequacy of the material presented, the *World Almanac* gives nation-wide county votes for president as cast for candidates of the major parties—with the addition of the Progressive candidate in 1924 and the Socialist candidate in 1932—but does not give the county votes that are needed to detect the sectional strength of minor parties generally. It gives only state totals for United States senators and governors, and makes no mention of votes for United States representatives, or for other state officers except in New York. Statistics concerning referenda and constitutional amendments submitted to the electorate are so fragmentary as to have little value for research purposes.

The inadequacy and inaccuracy of these materials compel reliance for the most part on the official records kept in the several states and localities. To discover how extensively records are kept, how far they are published, and within what period of time after each election, inquiries were sent to the secretaries of state. By dint of much correspondence, replies were obtained from every state, although they varied considerably as to the completeness of the information furnished. Forty-four states replied that they publish election statistics in some form, either in the report of the secretary of state, the state canvassing board, or the election board, usually in abstract or pamphlet form, soon after the election; or in the legislative manual, or blue book, which usually appears several months later. Only Delaware, Maine, Texas, and North Dakota have no official state publication containing election returns,[2] although in at least six other states—all Southern[3]—the published returns are so irregular or so incomplete as to be of little value. Two of the six, Alabama and Mississippi, publish quadrennial reports; while Arkansas has published no

[2] An unofficial manual containing election returns is published in Maine. In North Dakota, the full report of the state canvassing board is published in a newspaper soon after the election.

[3] Tennessee, Oklahoma, Virginia, Alabama, Arkansas, and Mississippi.

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report in eight years. Most states issue reports biennially, but seven states publish them annually.

In 27 states, two publications that carry election statistics are available. Thirty-six states issue blue books or legislative manuals. Thirty-five issue abstracts or reports exclusively devoted to election statistics. In eight states, the abstract of votes is the sole publication containing election returns, while in nine states the legislative manual is the only publication. It should be noted that even where there is a great deal of overlapping, the reports are not always absolutely alike. For instance, the reports issued immediately after the election give merely state totals in the case of five states,[4] and only in rare cases give returns in terms of units more intimate than counties, whereas the legislative manuals, usually published later, often give the vote by precincts or towns for one or more offices, and in some cases present also comparative material on previous elections. Some of the reports are quite inadequate, and in general there is a great deal of duplication of effort and expense in states that issue more than one report.

Likewise, the dates when the publications become available range widely. The vote is usually canvassed within a few weeks after the election, and the report of the canvassing board appears soon afterward. Thirty-eight states announced that their reports are available some time between December 1 and February 1.[5] Others are ready the following summer, and a few are not available until nine to twelve months after the election. The states that issue irregular reports or no reports at all have returns on file in the office of the secretary of state about a month after the election. Thus, although the material becomes available at headquarters in each of the states relatively soon, the publications are generally inadequate where timeliness is important.

There are likewise variations in the content of the published material. The reports are largely confined to offices for which there is a state-wide vote, or at least a vote in a district larger than one county, from which returns are sent up to be canvassed by a state board. It is worth while setting forth the discrepancies in more detail, beginning with the higher offices. Forty states publish the returns for presidential electors, while the remaining states[6] which publish irregularly or not at all have the records

[4] Oklahoma, Tennessee, Massachusetts, Michigan, and Indiana compile immediately after the election a list of elected officers and the state totals of votes. The latter three subsequently publish very adequate returns.

[5] Most states issuing reports before February are those that issue special abstracts or reports dealing exclusively with elections. New Hampshire, however, has its manual ready by January 1, while Ohio (which confines itself to a publication dedicated solely to election returns) issues a voluminous report in July.

[6] See p. 423 *supra*.

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on file. The national law[7] provides for an official report of the canvassing board which is to be certified to national authorities. This assures the availability of these figures for all of the states. The returns for United States senators and congressmen are likewise published in 40 states; they are known to be on file in six others which have no regular publication, and presumably this is the situation also in the remaining two states.[8]

Returns for greatly varying numbers of state executive officers are published. New Hampshire, at one extreme, has a simple problem of presentation, for only the governor is elective; Nevada, at the opposite extreme, publishes the vote for twelve executive officers.[9] In most states, however, there are seven such officers concerning whom records are published. Forty states publish figures in this connection regularly, while the remaining eight states preserve the records; six issue them irregularly as noted above. The publications examined indicate that 29 states publish the returns for members of the state legislature, while three others preserve the records. Florida publishes returns for members of the upper, but not the lower, house. The election laws of several states reveal the fact that the secretary of state compiles returns for members of the legislature only in districts larger than one county. Votes for judges of the supreme court and circuit courts, and for minor state and county officials, are published in 28 states. Massachusetts and New Hampshire give full returns for local officers. So also do Ohio, New Mexico, Arizona, and South Carolina. An inquiry was made as to whether there was some state agency from which county returns regarding county offices could be obtained, obviating the necessity of communicating directly with more than three thousand counties in the United States. Twenty-eight states answered in the negative, and 13 ignored the question. Wisconsin collects the county votes in a central office. In Indiana, they are filed with the Indiana Reference Service, which publishes a summary of returns for local officers. It can be assumed that the few states that actually publish returns for local offices also have them on file at a central point.

In regard to municipal election statistics, replies received to letters of inquiry indicate that the election returns are always preserved in the office of the board of elections, but in few instances are published, although available in typewritten and mimeographed form in many cases. A check was made only of the 20 largest cities.

Thirty-six states publish returns on initiative and referendum measures

[7] U. S. Code, Title 3, Chap. 1.

[8] Vermont and Kentucky; complete data not obtained.

[9] Governor, lieutenant-governor, secretary of state, state treasurer, controller, surveyor-general, attorney-general, superintendent of printing, clerk of the supreme court, inspector of mines, superintendent of public instruction, and regent of the university.

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and on constitutional amendments. Virginia publishes these records in the report of the secretary of state, although it issues no other returns regularly. It is possible that the data in question are printed in other states that made no reply on this phase of the inquiry. Since the election laws provide that the secretary of state shall proclaim the results of elections on such measures, the returns are presumably filed in his office in each state. A number of states publish also returns on local referenda, bond issues, and city charters. Massachusetts and Ohio give complete information on local questions.

Primary election returns are available in the same form as general election statistics in 29 states. In three states, they are not available in the office of the secretary of state, but must be obtained from the state executive of each party.[10] Six states have no state-wide primary law.[11] Three have reported that they do not publish the primary returns, but have them on file in the office of the secretary of state.[12] Six states did not comment on this phase of the inquiry. Eleven states publish registration figures.[13] Three of them also publish party enrollment,[14] and two give the number of votes cast by men and by women.[15]

There is great variety in the units employed in presenting election statistics. Returns by county units are available in 40 states. Sixteen of these report also by precincts, and nine of them by towns or districts. Four of the New England states publish returns by towns, while Maine, which does not publish, files by towns, and Rhode Island publishes the returns for governor by districts. Vermont also gives the vote by precincts in cities, and Massachusetts gives the city returns for representatives in the General Court. Thirteen other states publish by precinct a part or all of their city returns for state officers.[16] Nine states report that it is their practice to file by precinct the returns for all state officers.[17] Idaho reports that records are filed by precincts, but adds that "the only manner in which you would be able to secure the vote for all candidates by county and precinct would be from the county recorders of each county."

[10] Georgia, South Carolina, and Texas.

[11] Delaware, Indiana, New York, New Mexico, Rhode Island, and Utah.

[12] Maine, Virginia, and Idaho.

[13] Arizona, New Hampshire, Oregon, Montana, Ohio, New York, Vermont, Washington, California, Connecticut, and Massachusetts.

[14] New York, Arizona, and Oregon.

[15] Arizona and Vermont.

[16] Maryland, Minnesota, Missouri, Nevada, New Hampshire, New Jersey (in Fitzgerald's *Manual*), New Mexico, New York (for governor only), North Carolina, Ohio (for governor), Pennsylvania (for president), Wisconsin (for governor), and Wyoming.

[17] Arizona, Washington, Oregon, Oklahoma, Ohio, New York, New Jersey, Montana, and Maine.

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Kentucky and North Dakota file by precincts in cities, and Colorado files by districts in Denver. Only Florida has reported that returns in large cities in state and national elections are not available by wards.

In view of the fact, as revealed above, that many of the states publish only incomplete returns, or no returns at all, or publish only after a delay of such a period that the information would lose value for certain types of investigation, the states were asked to estimate the cost of furnishing returns in connection with national and state-wide officers and members of the state legislatures, to be presented by precincts in large cities and by counties or districts elsewhere. Many states either ignored the request or stated that it would be next to impossible to make such an estimate. Some indicated that they would charge on the basis of number of figures, a mode of calculation illustrated by the New York estimate of ten cents per folio of one hundred words. Two states replied that the cost would be small, or reasonable. Two replied that it would be expensive. Six estimates ranged from $25 to $30, while four others ranged from $150 to $200. Another thought the cost would be only the typist fee. Several states replied that there would be no cost, as the publication is free, overlooking the fact that the publication does not cover all the material asked for.

Replies hardly more helpful were received from inquiries sent to 20 cities as to the cost of furnishing precinct figures of votes cast for national state, and local officers. Philadelphia offered to furnish the returns for municipal elections for four dollars, and for state and national elections for the same amount. Pittsburgh replied that the cost would be thirty cents for each typewritten page, and fifty cents for a seal. The Baltimore estimate was $50, and the San Francisco estimate was $20. Detroit sent free a 150-page mimeographed report giving primary and general election returns for mayor and city council. Minneapolis suggested that an official newspaper report be used. Boston and Buffalo were found to have publications available.

No exact estimate can be offered at present of the cost of collecting from the entire United States all of the materials herein discussed which are available either in national, state, county, or city publications or in the files of these several governments. It seems evident, however, that the gathering at one central point and regular publication of part of it in a compact, consistently maintained format would effect great savings in the present duplication of effort on the part of scholars, journalists, and others that in the aggregate is exceedingly expensive as well as tedious, irritating, and often fruitless. Worse is the fact that, as things are, rich ores are going largely unworked through sheer inaccessibility. A federal system such as ours, further deconcentrated by its practice of local self-government, multiplies the arenas in which the comparative observation of political phenomena is significant. This is all the more reason why

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means must be found (ultimately, no doubt, in a federal bureau, but if necessary as a transitional step, under auspices more voluntary in character) to offset the haphazard decentralization of election statistics in the United States.

ADDENDUM

State publications, giving names and types of publications, data available, and scope.

Alabama, *Official and Statistical Register*, quadrennial publication, contains vote, by counties, for presidential electors, members of Congress, state executive officers, judges, members of state legislature, and referenda; both primary and general elections are covered. A mimeographed report, issued soon after election, shows presidential and U. S. senatorial general election vote, by counties. Secretary of state does not have primary returns.

Arizona, *Year Book*, biennial publication, date uncertain. In addition, a mimeographed report, available within three weeks after election, gives vote, by counties, for presidential electors, members of Congress, state executive officers, and judges, covering primary and general elections.

Arkansas, *Official Register*, no publication in 8 years. Returns on file in office of secretary of state. Information regarding state incomplete.

California, *Statement of Vote*, pamphlet issued shortly after election, contains vote for presidential electors, members of Congress, state executive officers, members of state legislature, judges. and referenda, covering general and primary elections by counties. *Blue Book* gives state totals only.

Colorado, *Abstract of Vote Cast at Primary and General Election*, issued in January, contains vote for presidential electors, members of Congress, state executive and district officers, members of state legislature, referenda and constitutional amendments, by counties.

Connecticut, *Statement of Vote*, issued four weeks after canvass, contains vote for presidential electors, U. S. senator, state officers and sheriffs, judges, representatives in Congress, members of state legislature, referenda, and summary of vote cast by towns and counties—all for the general election only. *State Register and Manual* issued in August contains election returns.

Delaware publishes no report but supplies a typewritten summary. Returns are on file in office of secretary of state for all national, state, and county officers voted for at the general election, tabulated by counties.

Florida, *Report of Secretary of State*, and also a one-page abstract are issued soon after the election. The latter contains vote for presidential electors, members of Congress, state executive officers, judges, and constitutional amendments—all by counties except in the case of "scattering votes." *Tabulation of Official Vote, Florida Primary Election*, same as above, covers also state senators, delegates to national convention, and National Democratic committeeman.

Georgia, *Official and Statistical Register*, available in June biennially; also *Annual Report of the Secretary of State*, issued late in the spring, contains vote for presidential electors, members of Congress, state officers, judges and referenda, by counties for general election only. Primary vote consolidated by counties and sent to the secretary of the Democratic state executive committee.

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Idaho, *Abstract of Votes*, a single printed sheet, issued soon after election, gives, for both primary and general elections, votes for presidential electors, members of Congress, state executive officers, judges and referenda, all in terms of counties.

Illinois, *Blue Book;* also *Official Vote of the State of Illinois*, pamphlet issued about 45 days after election; latter contains vote in presidential preference primary, and returns for presidential electors, members of Congress, state executive officers, members of state legislature and judges, constitutional amendments and referenda, by counties for general election. A similar primary report is issued, containing also votes for delegates to national conventions and party auditors.

Indiana, *Report of Secretary of State*, is available late in March; previously there is available a mimeographed report giving state totals. Abstract of votes, by counties, for presidential electors, members of Congress, state executive officers, judges, members of state legislature, and referenda. Returns for local elections compiled by Indiana Legislative Bureau.

Iowa, *Official Register*, ready in July, contains returns for presidential electors, members of Congress, state executive officers, members of state legislatures, by precincts and counties, for primary and general elections.

Kansas, *Biennial Report of the Secretary of State;* also an *Official Statement of Vote Cast* is separately issued soon after election, for both primary and general elections, containing votes for presidential electors, members of Congress, state executive officers, judges, members of state legislatures, and absent and military vote, by counties.

Kentucky, *Statement of Official Vote*, large single sheet issued early, containing votes for presidential electors, members of Congress, state officers and judges, by counties. *Blue Book* gives vote for governor only. Primary election returns not printed, and referenda are said not to be available.

Louisiana, *Biennial Report of the Secretary of State;* returns also published in pamphlet soon after election, containing vote for U. S. senator, state officers, members of state legislature, and referenda, all by parishes, districts, and precincts. The *Compilation of Primary Election Returns* is similar.

Maine, no official publication; typed tabulations of vote in general election are issued for president and governor, by counties. Returns received and filed by municipalities for members of Congress and all state and county officers. Maine *Register* contains returns, but is published privately.

Maryland, *Compilation of Election Returns*, covering primary and general elections, is issued early, containing votes for presidential electors, state officers, members of Congress, referenda and votes on local laws, by counties. Report by wards is issued year following election.

Massachusetts issues a pamphlet immediately after the election giving state totals for all candidates and returns on referenda. A voluminous report, *Election Statistics*, appears a few months later, giving complete returns for all national, state, and local officers, measures (state and local), data concerning registered voters, for both primary and general elections, by towns.

Michigan, *Manual*, published biennially. Also pamphlet is issued soon after the canvass containing votes for all major state officials, members of Congress, state representatives and senators in districts comprising more than one county, and judges, by counties.

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Minnesota, *Legislative Manual*, available about middle of January, contains returns for presidential electors, members of Congress, state executive officers, members of state legislatures, judges and referenda, by wards, districts and counties. Also *Reports of State Canvassing Board* for primary and general elections appear immediately after canvass.

Mississippi *Official and Statistical Register*, published quadrennially, contains vote for presidential electors and members of Congress. *Official Returns General Election* is a printed sheet giving also vote for judges, state executive officers, and constitutional amendments, by counties. A similar summary covered the primary in 1931.

Missouri, *Official Vote of the State of Missouri*, pamphlet issued within 90 days of election, contains vote for presidential electors, U. S. senators, members of Congress, state officers, judges, members of state legislature, by counties. *Official Returns of State Primary* same. *Blue Book* issued in November year following election gives vote by wards.

Montana, *Official General Election Returns*, one-sheet abstract published 10 days after canvass, contains vote for presidential electors, members of Congress, state officers, judges, and referenda, by counties. Same for primary.

Nebraska, *Official Report of the State Canvassing Board*, covering general and primary elections, issued three weeks after elections, contains vote for presidential electors, state officers, members of Congress, members of state legislature, judges, and referenda, by counties and districts. *Blue Book* also published.

Nevada, *Official Returns of the General Election*, same for primary issued four days after canvass, giving votes for presidential electors, members of Congress, judges, state executive officers, by precincts and counties. *Report of Secretary of State* also contains returns.

New Hampshire, *Manual for the General Court*, issued before January, contains votes for presidential electors, members of Congress, councilors, members of state legislature, county officers and summary of ballot, by counties, towns, and wards.

New Jersey, *Result of the General Election*, issued early, contains vote for presidential electors, members of Congress, state officers, members of state legislature, and referenda, for primary and general elections, by counties. Printed sheet giving totals issued soon after election. Fitzgerald's *Manual* also issued.

New Mexico, *Blue Book*, issued year after election, contains vote for presidential electors, members of Congress, state officers, members of state legislature, county officers, and referenda, by districts, counties, and precincts. No primary.

New York, *Legislative Manual*, issued about August 1, contains vote for presidential electors, state officers, members of Congress, judges, members of state legislature, and referenda, by counties. Vote for governor by precinct, registration, and party enrollment given. Mimeographed report, by counties, also issued immediately after the election gives vote for president, state officers, amendments, registration, and party enrollment.

North Carolina, *Manual*, issued in February, contains returns for presidential electors, members of Congress, state officers, and constitutional amendments, by counties, for primary and general elections.

North Dakota, official report published only in Fargo newspaper about six weeks after election.

Ohio, *Election Statistics*, issued in July, is voluminous publication devoted entirely

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to general and primary election returns, containing all votes for national, state, and county officers, constitutional amendments, local questions, registration, and other data, by counties and precincts. Mimeographed reports, by counties, available soon after election for presidential electors, U. S. senator, and state officers, for both primary and general elections.

Oklahoma, *Directory of the State of Oklahoma*, available about September 15, includes total vote for all state officers and members of state legislature. Mimeographed report of primaries tabulated by state election board gives total vote for each candidate, by counties.

Oregon, *Blue Book*, gives incomplete returns; *Biennial Report of Secretary of State*, issued in January, and *Abstract of Vote*, issued soon after election, contain vote for presidential electors, members of Congress, and state officers, by counties. A separate abstract is devoted to referenda and a third to primary elections.

Pennsylvania, *Manual*, issued in February, contains vote for presidential electors, members of Congress, state officers, judges, members of state legislature, and referenda, by counties, for general and primary elections. Vote for president given by precinct. Also pamphlet issued after election *Tabulated Statement of Vote* for primary and general elections for the above officers, by counties.

Rhode Island, *Official Count of the Ballots Cast*, available in December, contains returns for members of Congress, state officers, members of state legislature, referenda, by counties. Report on presidential and gubernatorial vote supplied in typewritten form.

South Carolina, *Supplemental Report of the Secretary of State to the General Assembly*, contains returns for presidential electors, members of Congress, state officers, county officers, members of state legislature, by districts and counties. Referenda tabulated by counties. 1930 report, however, confined to successful candidate for each office. Primary vote, supplied by Democratic committee, is not published.

South Dakota, *Official Election Returns*, issued 2 weeks after election, contains vote for presidential electors, members of Congress, state officers, judges, members of state legislature in joint districts, and constitutional amendments, by counties. *Legislative Manual* also contains returns.

Tennessee, *Directory and Official Vote*, is published irregularly. *Blue Book*, available in May, also contains some returns, including presidential electors, members of Congress, state officers, members of state legislature. Information from state inadequate.

Texas, no report published; returns are on file in office of secretary of state for all national and state-wide elections.

Utah, *Abstract of Vote*, on large sheets, issued soon after election, covers presidential electors, and referenda, members of Congress, state officers, judges, state senators, by counties.

Vermont, *Legislative Directory*, available March 1, contains only votes for presidential electors and governor for primary and general election, by towns and counties, with summary of state totals for state officers.

Virginia, *Report of Secretary of State*, gives returns on referenda only. *Manual* gives returns for presidential electors and governor incompletely. In addition, an abstract

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statement of vote gives returns for president and members of Congress, by counties.

Washington, *Biennial Report of the Election Division*, available two months after election, contains votes for presidential electors, members of Congress, state officers, members of state legislatures and judges, by counties. *Abstract of Votes* includes the above and referenda: Same for primary.

West Virginia, *Official Returns*, for primary and general elections, issued after election for presidential electors, members of Congress, state officers, members of state legislatures and judges, by counties and districts. Also *Legislative Handbook* issued 9 months after election.

Wisconsin, *Blue Book*, available biennially in June, contains returns for presidential electors, state officers, members of Congress, members of state legislatures, and judges, by counties. In the case of the governor, the vote in the primary and general election is given by precincts.

Wyoming, *Official Directory*, available in April, gives primary votes by counties, and general election returns by precincts, for presidential electors, members of Congress, state officers, judges, state senators and representatives (the last by precinct only).

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PUBLIC ADMINISTRATION

Public Administration, 1931–32. Previous surveys of trends in public administration in this REVIEW recorded developments in an era of prosperity and easy expansion.[1] The present summary of the events of 1931 and 1932 discloses an abrupt and fundamental change in the underlying conditions affecting public activities, the effects of which have deeply influenced every aspect of governmental operations.

The depression places American government in an awkward dilemma. On the one hand is the tremendous shrinkage in productivity of taxes, proceeding far more rapidly than the corresponding reduction of expenditures; the resulting outcry against waste and extravagance in public expenditures and the rapid development of organized demands for retrenchment; the appearance of tax strikes in many communities, embarrassing public treasuries still more, and threatening the actual collapse of essential government services—eventually leading in some cases to a thoughtless and ill-advised attack on government itself, often by the very elements in the community who most violently deprecate "radical" criticism of our institutions. Faced with these situations, administrative expenditures have been substantially curtailed in the last two years in many directions, although few administrative services have been abandoned.

On the other hand, there has been an insistent demand for increased expenditures under public auspices. Federal public works expenditures expanded during 1931 and 1932, but this expansion was more than balanced by a sharp curtailment of public works expenditures by state and local governments. The Reconstruction Finance Corporation has granted over $200,000,000 in relief loans to the states (April 1, 1933), and has loaned vast sums to private institutions, as well as advancing lesser sums to local and state governments for the construction of "self-liquidating" projects; state governments have issued bonds for direct relief, and the federal government had under consideration direct relief appropriations (LaFollette-Costigan-Wagner bill). As a result, federal indebtedness is again mounting and the problem of "balancing the budget" becomes a battleground fought over respectively by the advocates of expansion and of contraction of federal expenditures.

To the close of the Hoover administration, the exponents of reduction of federal expenditures were successful in imposing salary cuts on federal employees, but were generally unsuccessful in diminishing expenditures for services performed, notably in the Veterans' Bureau. With dramatic

[1] *Public Administration*, 1927, Vol. 22, p. 339; *Ibid.*, 1928, Vol. 23, p. 427; *Ibid.*, 1929, Vol. 24, p. 397; *Present Status of the Study of Public Administration*, Vol. 25, p. 120.

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rapidity, President Roosevelt secured legislation for drastic reduction of payments to veterans, and on April 1, 1933, imposed a fifteen per cent pay cut in lieu of the furlough system. Reduction in many phases of state operating expenditures seems the order of the day, almost for the first time, in the 1933 state budgets, the position of the state universities being especially exposed. In the cities, pressure from the bankers, combined with other necessities, caused considerable shrinkage in expenditures in many directions during 1931 and to a greater degree in 1932. The complete Democratic program for national expenditure reduction will have become known by the time these pages are in the hands of the reader.

The financial emergency faced by local governments is causing significant changes in their relation to state and federal governments, generally accelerating the extension of state supervision over localities, and now for the first time introducing direct financial relations between the cities and the national authorities. Among the most important specific items in the changing financial and supervisory relations must be mentioned the North Carolina schools and highway acts, transferring all responsibility for construction and maintenance of county highways to the state, and accepting full state responsibility for a six months' common school educational program; the municipal receivership laws enacted in North Carolina, New Jersey, Massachusetts, and Oregon (defeated in New York), and discussed elsewhere, placing the state in the position of a receiver and for the time being practically eliminating local self-government; the rapid extemporization of state welfare departments or special relief agencies to supervise the management of relief funds, especially federal loans; and the direct or indirect loans to municipal governments under the terms of the Reconstruction Finance Corporation Act. These and other enactments, taken in conjunction with a widespread concern as to solvency of local and state governments alike, to the extent that their revenue system is based on the general property tax, give rise to the opinion that a new type of financial relationship may be in the making as between the three major levels of government. Recent expansion of the scope of state-collected, locally-shared revenues is another indication of the same trend.

One aspect of this new relationship, i.e., the competing revenue systems of state and federal government, has already been the subject of consideration in the preliminary report of the House committee on ways and means entitled "Double Taxation" (72nd Cong., 2nd sess., December 29, 1932), and by the First Interstate Conference of Legislators, held in Washington on February 3 and 4, 1933, under the auspices of the American Legislators' Association.

Reorganization. The reconstruction of state and federal government continues an active subject of investigation and report, with a residuum of accomplishment.

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1. *Reorganization of the Federal Administration.* After long delay, by act of June 30, 1932, Congress authorized President Hoover to transfer administrative agencies by executive order, such orders to be laid before each house, and to become effective with the approval of both. Congressional policy was declared to be to reduce expenditures and to increase efficiency by (a) grouping agencies according to major purpose, (b) reducing the number of such agencies, (c) eliminating overlapping and duplication of effort; and (d) segregating regulatory agencies and functions from those of an administrative and executive character.

An extensive program of reorganization was submitted in a special message of December 9, 1932, estimated to produce a saving of $25,000,000 (House Doc. 493, 72nd Cong., 2nd sess.). These recommendations were rejected by a Democratic Congress, with the expectation that the matter would be taken up again by President Roosevelt.

2. *State Reorganization.* Recent reports and surveys of state reorganization are described in an article by Professor John A. Fairlie, "Studies on State and Local Government," in the April issue of this journal, and will not be further considered here.

In all probability, the period of major state reorganizations will be brought to a close by the pressure of the present depression. Many signs point to a new phase of structural reorganization as destined to command public attention in the immediate future, to wit, the financial and other relations of state and local governments. In a period of defaults and threatened defaults by local authorities, the national government seems under obligation to assist in the loan of its credit if any general local financial debacle becomes imminent, in order to protect the financial standing of the state itself.

The Indiana plan of state supervision of local expenditures has been the subject of renewed attention, but without any unanimity of opinion as to its general acceptability. A field study under the auspices of the American Municipal Association supplies the most recent data. From this report, it appears that state review has been operative in only four per cent of the local budgets, and that it has been greatly modified by recent legislation, especially the dollar-and-a-half tax limitation law and the creation of county boards of tax adjustment.

The very valuable report of the New York State tax commission for the revision of the tax laws (February 15, 1932) contains important recommendations looking toward stringent state control of local expenditures. The majority report urges a local government board empowered not only to prescribe budget systems, accounting systems, and state audit of local accounts at local expense, but also to issue binding orders with reference to debt service, deficiencies, and delinquencies, to approve all local bond issues in excess of stated amounts, to approve tax rates in excess of stated

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amounts, and to approve budgets of all school districts securing more than one-half of their revenues from state funds.

The proposals to reorganize New York local government are carried further by the third report of the commission submitted February 15 1933, and entitled "Depression Taxes and Economy through Reform of Local Government" (Legislative Document No. 56, 1933). The following paragraph deserves quotation, even in an abbreviated summary: "At 1200 feet elevation, farming is generally unprofitable in this state. The soil cannot sustain a population, nor is there any other means of support except in special locations; the population cannot pay taxes; without taxes, a local government, if there is to be one, cannot exist except through a state subsidy. Thus in spite of past traditions and the state constitution, it appears that local self-government cannot thrive in New York State beyond the 1200 feet elevation contour."

The preliminary report of the Michigan state commission of inquiry into county, township, and school district government (December, 1932) proposes an extension of state control over bond issues, tax rates, and local budgets, and the assumption of the affairs of local communities which have defaulted, or are likely to default. Other reports of the commission are to appear during 1933.

Again, the Mississippi survey by the Brookings Institution recommended the establishment of adequate and effective control by the state over the budgetary, accounting, reporting, and debt-incurring operations of counties, and of a local government department or commission with extensive powers of investigation and supervision. Space limitations do not permit a more complete review of a tendency which has become increasingly prominent in the last two years.

Under the leadership of the Social Science Research Council's committee on public administration, an exploratory research conference on the reorganization of the areas and functions of local government was held at the University of Chicago in May, 1932. Plans were laid for a similar conference in New York City in April, 1933.

Another phase of structural reorganization which seems ripe for investigation is the independent or quasi-independent position of public school authorities. In his monograph, *Problems of Education in the United States*, Professor Charles H. Judd has again raised the issue.

The most striking evidence of the new orientation of state and local government was furnished by North Carolina in 1931. Here the state assumed full responsibility for maintenance and development of the county highway system and for a six months' term in the public schools, thus relieving the county *in toto* of two of its major activities. These radical changes were precipitated by the necessity of relieving the burden of county taxes on real estate, and do not imply any settled conviction as to

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the superiority of state operation of the two services. Professor Wager reports that there is general satisfaction with the state's handling of the highway problem (*National Municipal Review*, Vol. 22, p. 59); Mr. Paul Betters quotes the North Carolina superintendent of public instruction as being in favor of the new school system (*Ibid.*, Vol. 21, p. 496).

The administration of the large cities was under constant fire during 1931 and 1932, with the country's attention focused on New York City and the dramatic resignation of Mayor Walker. Of greater constructive interest are the recommendations of the Seabury Committee for extensive changes in the New York City charter. The new charter of San Francisco, with novel provisions for a quasi-manager of the less political phases of municipal government, was inaugurated on January 8, 1932. In Chicago, the Cermak administration developed a large program of reorganization which was only partially achieved. Improvements in the police department were especially noteworthy, over 80 of the specific recommendations of the Citizens' Police Committee having been installed with the guidance of the Institute of Public Administration.

A significant recognition of the importance of local government was found in the appointment by President Hoover of an official delegation representing the United States at the fifth Congress of the International Union of Cities, held in London in June, 1932. Several municipal league secretaries were in attendance.

Personnel Administration. The full weight of the depression has fallen upon civil service commissions and personnel operations, creating a situation more confused and uncertain than has been seen for a generation. For a full decade the leading civil service commissions had been able to develop technical programs in testing, classification, and efficiency rating which collectively comprised a notable advance. The scene shifted in 1930, and more precipitously in 1931 and 1932. In 1930, commissions were swamped with unexampled hordes of applicants for examination; in 1931 and 1932, it became clear that in many cases the entire examination program should be suspended in view of the fact that no, or few, appointments and promotions would be made.

Meanwhile the problem of lay-off and the handling of reinstatement lists became urgent, and marked divergence of interests became apparent as commissions enforced their existing rules or framed new rules to meet the situation. Speaking in general terms, there has been an effort to safeguard the interests of established personnel as against new entrants. But many conflicts have arisen. The most common area of lay-off has been the department or its major subdivision, but in Chicago the corporation counsel required the whole service to be treated as a unit, thus precipitating administrative difficulties of great magnitude.

The most common order of lay-off is that determined by seniority in

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grade, although in a few jurisdictions an effort has been made to apply relative efficiency in much the same way as would be followed by an industrial organization. The pressure to follow the seniority rule has usually been effective.

An especially interesting phase of the North Carolina reorganization centers in the office of director of personnel, the most recent addition to state personnel agencies. Following the Maryland precedent, a single officer is preferred to the traditional civil service commission, and the emphasis on functions is novel. Together with the head of each department and commission, he fixes, determines, and classifies the necessary number of employees, establishes standard salary scales, hours, leaves, "and any and all other matters having direct relationship to services to be performed and salaries and wages" to be paid.

In case of appointments to the classified force, the director inquires into the qualifications of persons certified to him by the head of the department, "and if such person is found duly qualified and the director shall deem it necessary that the employment be made," he fixes the salary and approves the appointment. The director may also conduct examinations and maintain eligible lists. Differences of opinion between the personnel director and the departments are settled by the advisory budget commission.

The Probst system of service ratings continues to be a subject of great interest. Experience to date indicates that the system is fundamentally sound and adapted to a wide range of use if supported by careful administrative supervision. Preliminary studies of its reliability (in successive ratings) show some divergence but generally reasonably satisfactory results. The system has been accepted by the Chicago police department, where it has surmounted the test of an especially difficult trial.

The demand for reduction in public expenditures has in large part fallen upon the pay-roll. Unfortunately, the method of making pay reductions has often been highly unsatisfactory, and the opportunity for eliminating waste, patronage, and expenditures of secondary importance has not been effectively employed. The most common method of reduction has been a flat decrease ranging from five to twenty-five per cent, and in some cases to over thirty per cent, of the established scale. The furlough system was imposed by Congress upon the federal service, and payless vacations, reduction or elimination of sick leave, reduction in travelling allowances, and similar economies have been almost universal. In jurisdictions where political influence remains strong, these deductions have been imposed in preference to the elimination of patronage appointees and effective reclassification of positions, in effect requiring the classified service to carry the burden of heavy political impedimenta. In a time of deep distress, it is not easy to prevent public administration becoming a subsidiary

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agency of relief, but no one could maintain that the situation is in the public interest.

Perhaps the most significant aspect of the general situation with regard to public employment is the absence of any substantial demand for the radical extension of the merit system and the consequent foundation of a permanent, technically qualified public service. Three-fourths of the states still lumber along feeding one or both political machines with the spoils of office in greater or less degree, and in part of the remainder, as well as in many of the larger cities, the difficulties of sound enforcement of the merit system are extreme. Instead of a spontaneous movement to erect new barriers against the waste of patronage, there has been in some instances definite lowering of standards through political pressure and threats of repeal of civil service legislation.

Publication of a 421-page "letter" from the United States Civil Service Commission, January 17, 1933, listing positions not under civil service (Sen. Doc. 173, 72nd Congress, 2nd sess.) dramatically epitomizes the heavy load of patronage still carried by the federal service. Tax-payers leagues please copy! An invaluable inside view of the federal service is recorded in Herman Feldman's *Personnel Program for the Federal Civil Service* (House Doc. 773, 71st Cong., 3rd sess.).

Other straws show counter winds blown up by the steady influence of professional groups in specific fields, again suggesting most persuasively that one of the greatest guarantees of the progressive improvement of the public service lies in strengthening the hands of these groups. A notable illustration is the advisory and consulting activity of the American Public Welfare Association, whose aid has been sought in over forty states within the last eighteen months in relation to relief and welfare programs. The influence of the Public Administration Clearing House has also been effective in this direction.

Interesting developments are in process in federal personnel structure. The Personnel Classification Board was combined in 1932 with the Civil Service Commission, thus closing the stormy career of one of the independent establishments. Incidentally, this change again modifies the relation of the Bureau of the Budget to the classification problem, and once more suggests the wisdom of a service of general administration which would unite the essential staff services, still widely scattered. Other proposals are pending to expand the scope of the Civil Service Commission still farther, especially by uniting with it the civil pension service and the compensation commission.

On April 25, 1931, President Hoover established the Council of Personnel Administration for the purpose of bringing about a more effective liaison between the Civil Service Commission and the several departments, coördinating personnel administration, improving selective methods, and

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making more attractive a career in the federal service. In addition to the members of the cabinet, the Council includes the director of the Bureau of the Budget, the chief of the Bureau of Efficiency, the chairman of the Interstate Commerce Commission, the administrator of Veterans' Affairs, and the president of the Civil Service Commission, who acts as chairman. The director of the Council is Dr. L. J. O'Rourke, the research director of the Civil Service Commission.

New impetus was given to discussion of the whole problem of training for the public service by an important conference on university training for the national service held at the University of Minnesota in July, 1931 (See *University Training for the National Service*, Minneapolis, 1932). Despite the highly unfavorable circumstances of the moment, interest in training both for and within the public service remains high, stimulated in part by the success of such enterprises as the training program of the University of Southern California. The International City Managers' Association has projected an institute for city managers on active duty, and early in 1933 it initiated a comprehensive range of correspondence courses in the field of public administration, taking over and extending similar courses formerly offered at Syracuse University.

Training schools for municipal officials and employees are expanding very rapidly in number and influence, especially under the auspices of the American Municipal Association. A recent report of the Association shows 90 police training schools held by state leagues within the last five years, New York State remaining the most conspicuous example. Since 1928, a further report shows a total of 207 training schools for municipal officials conducted by leagues of municipalities. These two reports summarize a vigorous and healthy innovation which bids fair to develop rapidly.

Public Welfare and Relief Administration. In probably no other domain of public administration are such extensive changes occurring with such unexampled rapidity as in the area of welfare and relief administration. The effects of the depression fall into two periods, prior and subsequent to the federal Emergency Relief and Construction Act of 1932 which provided the Reconstruction Finance Corporation with huge sums for relief and construction.

Prior to July 1, 1932, the growing menace of unemployment and the rising demand for family and other relief was met, first by appeal to private charity on a local scale and the modest enlargement of local public relief programs; second, by the provision of state funds, commencing in the autumn of 1931 and extending through the winter and spring of 1932. Such funds were made available in Illinois, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Wisconsin, in addition to appropriations for special purposes in California and Oklahoma. The money was raised chiefly through bond issues, although in one or two cases by

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diversion of gas taxes, and was expended through a state agency, usually an *ad hoc* emergency relief commission. This period demonstrated the complete inadequacy of private effort to cope with the relief demands, and probably marks a definite turning point in the history of relief and welfare activities in this country.

The second period is marked by entrance of the federal government into relief operations. Hesitating for many months, the administration eventually accepted the principle of loans of federal credit to the states and/or their subdivisions, and in the Emergency Relief and Construction Act of 1932 made available $300,000,000 to be loaned at the discretion of the Reconstruction Finance Corporation for relief purposes upon application of the governor of the commonwealth. Up to February 28, 1933, a grand total of $210,461,760.22 had been loaned under these circumstances to 38 states. These figures are exclusive of loans to states or their subdivisions for self-liquidating projects. The La Follette-Costigan bill providing half a billion dollars for direct appropriation to the states for relief purposes was defeated by the last Congress, but was taken up again in the 1933 special session.

The second period demonstrates the breakdown of local and state resources, both public and private, in face of an unprecedented demand for relief, and acceptance of the doctrine of concurrent federal responsibility for an emergency of national proportions. The process of centralization marches forward on a new salient. Among the important secondary effects is the rapid extension of state machinery for relief purposes and a steady pressure for maintenance and improvement of standards of administration. State relief agencies have been extemporized in 41 states, of which a number were able to utilize established state welfare departments.

In this connection, the American Public Welfare Association has rendered an exceptional service, having been called into consultation in all parts of the country, while remaining in constant informal contact with the Reconstruction Finance Corporation. Here is a significant combination of federal, state, and local authorities, with an unofficial agency effectively aiding in a nation-wide process of coördination.

The ultimate results of the present relief crisis in terms of administration cannot be foretold, but it is reasonable to expect that they will be of great magnitude. Reliance on private charity has definitely yielded to recognition of public responsibility; reliance on local resources has definitely been abandoned in favor of state and national responsibility, at least in times of unusual distress; a new national administrative service, combining and employing state and local welfare agencies in a coöperative enterprise may well be in the making. Meanwhile wide interest in policies and programs for the prevention or mitigation of unemployment

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bids fair to require another public service, novel in the United States but well-established elsewhere—unemployment insurance.

Unemployment Insurance. The country seems on the eve of a notable departure from established tradition by embracing some program of unemployment insurance. In accordance with our constitutional predilections, the experiments are starting in the states, with all the hazards which are involved in separate action by 48 sovereign communities dealing with a national problem. At least six investigations and one piece of legislation are to be recorded as these lines are written: the Wisconsin unemployment reserves law (1931, c. 20); the report of the Ohio commission on unemployment insurance (Part I, 1932; Part II, 1933); the report and recommendations of the California state unemployment commission (Vol. I, Nov., 1932; Vol. II, Jan., 1933); the final report of the Massachusetts special commission on stabilization of employment (Dec., 1932); *Measures to Alleviate Unemployment*, published by the Connecticut unemployment commission, 1932; preliminary report of the New York joint legislative committee on unemployment, 1932; and the report of the Senate committee on unemployment insurance (Sen. Rep. 629, 964, 72nd Cong., 1st Sess.).

Unemployment insurance was endorsed at the Cincinnati convention of the American Federation of Labor in 1932, and bills of one type or another were introduced in 27 state legislatures in 1933. In all probability, a branch of public administration new to this country will be launched in the immediate future.

Progress in Measurement of Municipal Services. Beneficial results are being obtained from efforts to reduce municipal services to definite measurement in terms of work done, unit costs, man-hour and labor-hour production, statistical compilations of happenings, as well as performance, and the preparation of standard classifications, placing public administration upon a more scientific basis.

The installation of comprehensive record systems by police departments throughout the country has not only improved the system of uniform crime reporting designed by the Committee on Uniform Crime Records of the International Association of Chiefs of Police, now operated by the United States Department of Justice, but has also led to closer analysis of local crime and police problems. Approximately 75 cities have purchased and installed the model consolidated daily and monthly police report forms adopted as standard by the Committee on Uniform Crime Records and supplied by the International City Managers' Association.

In the field of public works, the Committee on Uniform Street and Sanitation Records (923 East 60th St., Chicago), representing eleven organizations of public officials, cities, and research agencies, has designed standard records and accounting systems by means of which public works

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activities may be reduced to definite measurements. In addition to such publications as *How to Prepare an Annual Public Works Report*, and *The Measurement and Control of Municipal Sanitation*, the committee has published five manuals describing comprehensive installations made in cities of different sizes and conditions. Altogether, complete installations have been made by the staff of the committee in Brunswick, Ga.; Winona, Minn.; Binghamton and Troy, N. Y.; Kenosha, Wis.; Newport and Lexington, Ky.; and Cincinnati, O. Upon their own initiative, approximately one hundred other cities have adopted and installed the committee's system, among which may be especially noted Minneapolis and Albert Lea, Minn.; Norwood, Mass.; Rome, N. Y.; Norfolk, Va.,; Miami, Fla.; and Los Angeles, Cal. Definite evidence has been obtained that these installations have led to very large savings as well as to a higher grade of work.

Progress has been made in other fields as well. Governmental budgeting and accounting have been steadily improved so that they more adequately measure and control fiscal operations. Fire departments are analyzing their fire losses and causes more carefully than ever before. Health departments have standardized their records until not only vital statistics are compiled with accuracy, but various departmental activities are subjected day in and day out to statistical evaluation. The appraisal form of the American Public Health Association has contributed significantly to this progress.

Under the leadership of the Institute of Law of the Johns Hopkins University and the Ohio Institute, striking progress toward the development of a uniform system of judicial statistics has been made during the past two years. A uniform classification of dispositions has been established. The report, *Ohio Criminal Statistics, 1931*, containing statistics of crimes, the police, the courts, and the penal institutions, all compiled on a uniform basis, is the most significant landmark in the development of judicial statistics in this country.

Institutional Development. In 1931, the National Institute of Public Administration affiliated with Columbia University, at the close of a successful endowment campaign. The Institute retains its separate organization and staff. In 1932, the Proportional Representation League was consolidated with the National Municipal League.

A significant movement of associations of municipal and state officials to Chicago commenced in 1929 with the International City Managers' Association and the Bureau of Public Personnel Administration. In 1930, they were joined by the American Legislators' Association and the Interstate Legislative Reference Bureau, supplemented in 1933 by the organization of the legislatures as such under the title of the Interstate Legislative Assembly.

In 1931, the Public Administration Clearing House opened its offices

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in Chicago, and in 1932 this group was further augmented by the American Municipal Association, the American Public Welfare Association, the Municipal Finance Officers Association, and the Governmental Research Association. The United States Conference of Mayors, representing mayors of the 189 largest cities, was organized in February, 1933, with Mr. Paul Betters as secretary. The Municipal Administration Service was also transferred from New York.

These organizations are housed for the most part in one building (850 East 58th St.), and operate in close touch with each other and with the University of Chicago. A weekly round table on matters of mutual interest is held in the Social Science Research Building of the University, and a joint library is maintained at organization headquarters.

The activities of the groups have been expanding with unexampled rapidity throughout 1932 and 1933, especially in the field of relief and finance. The work of the American Public Welfare Association has been noted above; the American Legislators' Association has organized a national investigation of overlapping taxation, with the official support of practically all the states; the American Municipal Association has been called upon by hundreds of cities for assistance in handling the relations of municipalities to the Reconstruction Finance Corporation, to Congress, and to federal administrative departments; and in an advisory capacity other groups have been exceedingly active. The day of isolation has passed, both for cities and states as such and for the individual official. It is certain that organized relations as between the federal government on the one hand and cities and states on the other are in rapid process of evolution; and in the new administrative world now emerging, the American Legislators' Association, the American Municipal Association, and the United States Conference of Mayors seem destined to play an important rôle.

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Direct Legislation in the German Länder, 1919–32. Among the experiments in government which have taken place in post-war Germany, one of the most varied in form is to be found in the theory and practice of direct legislation. The referendum, initiative, and a type of recall exist in national, state, and local governments. The experience of the German people with these constitutional practices has been treated occasionally in studies of the national and municipal governments,[1] and this note is designed to perform a similar service with regard to the German states.

Studies of the constitutional convention at Weimar seem to indicate that direct legislation was adopted for the national constitution without a great deal of study.[2] The Germans had, however, been acquainted with the idea of direct legislation for some time, and a proposal for its use had found expression in the *Erfurter Program* of the Social Democratic party.[3] The provisional arrangements for the national government during the revolutionary period included machinery for an appeal to the electorate in cases of disagreement between the ordinary organs of government.[4] But the widest use of the various forms of direct legislation is first to be found in the provisional constitutions of the states.[5]

Although the revolutionary period in Germany witnessed, for a short time, the development of a council system upon the Russian model, by the time the provisional constitutions appeared, this type of organization had been largely replaced by the traditional forms of parliamentary government. In Brunswick, however, the council system was not completely eradicated, and the councils were given some constitutional recognition. In this state, it is interesting to note that the provisional constitution

[1] See Roger H. Wells, "The Initiative, Referendum, and Recall in German Cities," *National Municipal Review*, Jan., 1929, pp. 29–36.

[2] See *Drucksache, Deutsche Nationalversammlung;* also Heilfron, *Die Deutsche Nationalversammlung im Jahre 1919* (Berlin).

[3] Karl Kautsky, *Das Erfurter Program in seinem grundsätzlichen Teil* (Stuttgart, 1899), p. 256.

[4] Triepel, *Quellensammlung zum deutschen Reichsstaatsrecht* (Tübingen, 1931).

[5] Provisions for direct legislation appeared in the first and second Bavarian provisional constitutions (1919), the provisional constitutions of Lippe (1919), Saxony (1919), Brunswick (1919), and Schaumburg-Lippe (1919), and in the constitutions of the small states now incorporated into Thuringia. See Robert Piloty, "Die Bayerische Verfassung v. 14. Aug., 1919," in *Jahrbuch des öffentlichen Rechts* (Tübingen, 1920), pp. 129–163 (hereafter abbreviated as JöR); Erwin Jacobi, "Die Wandlung der Verfassung und Verwaltung in Sachsen," JöR (1920), pp. 163–171; Koellreuter, "Die vorläufige Verfassung Braunschweigs" JöR (1921), 418, 419; *ibid.*, "Die verfassungsrechtliche Entwicklung in Oldenburg, Braunschweig, Anhalt, usw.", JöR (1921), 409–438; *ibid.*, "Die staatsrechtliche Neugestaltung Thüringens," in *Handbuch des deutschen Staatsrechts* (Tübingen, 1929), pp. 141–143. See also statute collections of states concerned.

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contained a clause whereby the State Council of Workers (*Landesarbeiterrat*) was given the power to raise objections to acts of the State Assembly (*Landesversammlung*); when agreement between the two was impossible, the Council of People's Commissars (*Rat der Volksbeauftragten*) was required to call a referendum upon the question.[6]

The most usual form of direct legislation in the provisional constitutions was the referendum upon decisions of the *Landtag* called by the ministry. This machinery existed in Bavaria,[7] Lippe,[8] Saxony,[9] Schaumburg-Lippe,[10] and in certain states now part of Thuringia. In Lippe and Schaumburg-Lippe, such action could be taken by the ministry only after the legislature had overridden the executive veto, but in Bavaria and Saxony, ministerial action of this nature was independent of the veto. In Bavaria and Saxony, the failure of the voters to support the ministry in a referendum called by that body resulted in ministerial resignation; support of the ministry occasioned the dissolution of the legislature.

The initiative did not appear in the provisional constitutions of the states now existing;[11] however, in Lippe[12] and Schaumburg-Lippe,[13] twenty per cent of the voters were permitted to demand a referendum upon a decision of the legislature.

Of particular significance is Article 1 of the provisional constitution of Brunswick, which made it possible for that state to unite with other German states upon the basis of a plebiscite. This article foreshadowed the machinery of Article 18 of the Reich constitution.

Of the seventeen German states still existing in the Reich, all adopted some form of referendum in their permanent constitutions. All except Lübeck adopted the initiative. All provided for the dissolution of the legislative body by popular vote. Within these main forms, however, the constitutional practices of the *Länder* show wide variety.

Contrary to possible expectation, the obligatory referendum for the passage of constitutional amendments is found only in Baden.[14] The refer-

[6] Art. 4. References are to articles of constitutions.

[7] Art. 7.

[8] Sec. 11.

[9] Sec. 16.

[10] Sec. 10.

[11] In the remainder of the note, the constitutions of the former Thuringian states will not be considered.

[12] Sec. 10. [13] Sec. 9.

[14] Sec. 23. Complete constitutional texts are found in Otto Ruthenberg, *Die Verfassungsgesetze des deutschen Reichs und der deutschen Länder* (Berlin, 1926). Discussions of direct legislation in the states are found in Kaisenberg, "Die formelle Ordnung des Volksbegehrens u. des Volksentscheids in Reich u. Ländern," in *Handbuch der deutschen Staatsrechts* (Tübingen, 1931); Hartwig, *Das Volksbegehren u. der Volksentscheid im deutschen u. österreichischen Staatsrecht* (Charlottenburg, 1930).

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endum for a constitutional amendment is also obligatory in Hesse, unless the amendment is passed in the legislature by an eight-tenths majority.[15] It is significant that of all the permanent constitutions promulgated in republican Germany, only that of Baden was submitted to final popular approval.[16]

In the jurisprudence of the Reich and of the *Länder*, one of the most important functions of the referendum is the settlement of disputes between the executive and legislative branches. Thus, in some states the ministry, having exercised in vain its prerogative of suspensive veto, may appeal to the electorate over the second unfavorable decision of the legislature.[17] Again, in other states the ministry may appeal directly to the electorate without having exercised a suspensive veto.[18] In Lübeck, disagreement between the executive (*Senat*) and legislature (*Bürgerschaft*) is followed by conference committee proceedings. The decision of the committee may be followed by a call for referendum by either *Senat* or *Bürgerschaft*. This procedure does not apply to constitutional amendments.[19]

In many states, the legislature may also call a referendum. In Oldenburg,[20] Anhalt,[21] and Schaumburg-Lippe,[22] the *Landtag* may call a referendum when it has failed to obtain a majority necessary to override an executive veto. In Brunswick[23] and Bremen,[24] the legislature may call a referendum at any time, independently of the executive. A damper is put upon the enthusiasm of the ministry in Mecklenburg-Strelitz by the provision that a referendum which results unfavorably for the ministry must be followed by ministerial resignation; an opposite result is the occasion for dissolution of the legislature.[25]

In Prussia, the fourteen provinces are given representation in the *Staatsrat*. Among the powers of this body is included the right of veto upon statutes passed by the *Landtag*. This veto can be overthrown by a

[15] Art. 13.

[16] Sec. 69.

[17] Anhalt, 42; Bremen, 4 (provided one-third of the *Bürgerschaft* agrees); Hamburg, 53; Oldenburg, 35; Saxony, 35; Mecklenburg-Schwerin, 44 (the ministry may use the referendum also without having used the veto); Schaumburg-Lippe, 44; Lippe, 20.

[18] Bavaria, 77; Baden, 23; Württemberg, 43, Mecklenburg-Strelitz, 22; Hesse, 13. It appears that Thuringia belongs in this group.

[19] Arts. 63–69.

[20] Sec. 35.

[21] Sec. 42.

[22] Sec. 44.

[23] Sec. 42.

[24] Sec. 4.

[25] Sec. 22. Mecklenburg-Strelitz apparently has no statute to enforce constitutional provisions regarding direct legislation.

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two-thirds majority of the *Landtag*, which body, apparently by a simple majority, may call a referendum upon the statute if it fails to obtain a two-thirds vote. This procedure does not apply to the budget.[26] Since Prussia is the sole federal state of Germany, this is the one instance among the states where the referendum is used to settle disputes between two legislative bodies.

In some cases, the referendum is employed to protect minority interests in the legislature. In Bremen, the minority group of the legislature is used as a check upon executive prerogative; only when one-third of the members of the *Bürgerschaft* agree may the *Senat* call for popular decision after its veto has been overridden. Hamburg has adopted Reich procedure by providing that a minority of the *Bürgerschaft* (60 members) may postpone the promulgation of a statute in order that the machinery of the referendum may be set in motion during the delay.[27]

In addition to Hamburg, popular action against a statute not yet promulgated is possible in Württemberg,[28] Bavaria,[29] Baden,[30] and Oldenburg.[31] In these states, with the exception of Oldenburg, it is possible to secure immediate promulgation by the use of the emergency clause. As the use of this clause in Hamburg requires the consent of both *Bürgerschaft* and *Senat*, it has not been abused. Similar difficulties limit its use in Baden. In Württemberg and Bavaria, however, the clause has been used so constantly as to invalidate the intent of the constitution on this point.[32]

All of the states of the German Reich, excepting only Lübeck, have adopted the initiative. The subject-matter of the initiative may be an ordinary statue, a constitutional amendment, or the question of the dissolution of the legislature. In the majority of the states, the proposal for the initiative is introduced by a small group of signers, or by the executive committee of an organization containing a large number of voters. The initiative proper is generally under the control of the officials of the state, and the signing goes on publicly. There has been some criticism of this procedure, as it gives rise to the possibility of pressure politics, official and otherwise, but, on the other hand, it usually prevents fraud in signing. The original proposal (*Antrag auf Zulassung eines Volksbegehrens*) is presented either to the executive through the ministry of the interior, or to the legislature. In most cases, the minister of the interior

[26] Art. 42.
[27] Arts. 57, 58.
[28] Sec. 43.
[29] Sec. 77.
[30] Sec. 23.
[31] Sec. 67.
[32] This statement is based on an examination of the statute books.

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has the power to reject the *Antrag* for cause, the supporters of the *Antrag* usually having the right of appeal to the courts. In Bavaria, the final authority as to the permissibility of an initiative is the *Landtag*.[33]

After the *Antrag* has been accepted, lists for signing are laid out at the polling places, this process constituting the actual initiative. The initiation of an ordinary statute requires the signatures of from one-twentieth[34] to one-fourth[35] of the voting population; one-tenth is the figure most often used. In states requiring extraordinary numbers for the initiation of constitutional amendments, one-third, one-fourth, and one-fifth of the voting population are the usual figures. Many states require extraordinary majorities for the initiation of a referendum calling for *Landtag* dissolution.

In the event of a successful initiative, the proposed bill goes to the *Landtag*. In general, the *Landtag* must act upon the measure, time limits being set in many cases; and if its action results in the amendment or rejection of the bill, a referendum must follow. The referendum does not follow in case the legislature accepts the proposed bill entire and unchanged. The constitution of Thuringia provides that the referendum shall not follow when the *Landtag* accepts the proposed bill unchanged or substantially unchanged.[36]

From the standpoint of practice, the most important of the provisions relating to direct legislation have proved to be those regarding the dissolution of the *Landtag*. This machinery is the nearest approach to a recall which the German state constitutions afford. In all states except Lübeck, Hamburg, and Mecklenburg-Strelitz, the initiative process may be invoked to propose a referendum upon the question of dissolution of the legislature. In some states, the ministry may also institute a referendum upon this question.[37] Frequently the ministry is protected by the provision that the *Landtag* may not return a vote of no confidence until the conclusion of the popular vote.[38] The *Senat* of Bremen, if supported by one-third of the *Bürgerschaft*, may call a referendum upon the question of dissolution.[39] In Hamburg[40] and Lübeck,[41] the executive may call a plebiscite upon the question of dissolution of the legislature when this

[33] Compare Kaisenberg, "Die formelle Ordnung," etc.

[34] Hesse, 12; Prussia, 6.

[35] Anhalt, 9.

[36] Sec. 25.

[37] Anhalt, 11; Hesse, 24; Saxony, 9; Lippe, 11; Württemberg, 16.

[38] Anhalt, 11; Saxony, 11; Lippe, 27.

[39] Sec. 18. A minority (one-third) of the *Bürgerschaft* may also call such a referendum if the *Senat* has resigned (Sec. 53).

[40] Art. 36.

[41] Art. 14.

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body has expressed lack of confidence in the executive. Prussia again constitutes a special case; the State Council is empowered to call a referendum upon the question of the dissolution of the *Landtag*.[42] Hence, in many German states the call for a popular referendum was substituted for the customary executive prerogative of dissolution of a hostile legislature.

Special sessions of the legislature may be called in two states through popular vote, to be initiated in Baden by 80,000 voters,[43] and in Bavaria by one-fifth of the voting population.[44] This procedure should be compared to the widespread practice in republican Germany whereby special sessions were called by the executive or a minority of the legislature.

A unique provision occurs in Mecklenburg-Schwerin whereby the process of initiative-referendum is available to groups desiring to call upon the state supreme court for action in any case.[45]

In spite of the wide use of direct-legislation machinery in the state constitutions, plentiful evidences of distrust of the institution have existed. Formidable restrictions are imposed upon its use. In the first place, the field of competence of the state governments has been greatly limited by the Weimar constitution. Naturally, a referendum in the state government is not possible in a field in which the Reich enjoys exclusive jurisdiction. The Bavarian constitution is very definite upon this point, and even withdraws from direct legislation those state statutes which are designed to carry out blanket regulations imposed by the Reich.[46]

The most formidable limitation imposed upon the initiative and referendum is, however, the general provision that the state budget shall not be included in the subject-matter of direct legislation. Unfortunately, a vast amount of controversy clings to the question. Some constitutions withdraw the budget from the province of the initiative, others from the referendum. The question remains, although of no great practical importance, as to whether the constitutions imply both initiative and referendum in this restriction. More important is the meaning of the word "budget" (*Staatshaushaltsplan*, *Finanzgesetz*, *Staatsvoranschlag* are some of the words used). Jurists are not in agreement as to whether this means the official estimates themselves, or whether the word includes all statutes affecting the financial plan of the state. Reich practice has inclined to the latter view, but has not escaped strong criticism.[47] In the absence of

[42] Art. 14. [43] Sec. 45.
[44] Sec. 10. [45] Sec. 45. [46] Sec. 77.
[47] Compare Kaisenberg, "Die formelle Ordnung," etc., p. 207; Carl Schmitt, *Volksentscheid und Volksbegehren* (1927), p. 22; Glum, "Die Grenzen der Volksgesetzgebung nach Art. 73 der Reichsverfassung," in *Juristen Woche* (1929), pp. 1099 ff.

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court decisions, the ministry is given additional influence in its ability to assume the power of deciding, in a given case, whether or not an initiative is included in the expression "state budget." Occasional exceptions to this type of strict limitation exist, as in Bremen, where the *Senat* may submit to popular vote the state budget, state salary laws, statutes on fees, appropriations, and taxes.[48]

Other limitations as applied in varying degrees by the constitutions include the prohibition as subject-matter of all financial statutes, statutes stipulating the salaries of civil servants, appropriation bills, and state treaties. The latter category is, however, in some states expressly stated to be legitimate subject-matter for direct legislation.[49]

A detailed statement of the majorities required for a successful referendum is impossible here; following the practice in the Reich, such requirements tend to be extremely severe. Thus, in more than half of the states, the participation of a majority of all eligible voters is required. In many cases, extraordinary majorities are required for the passage of a constitutional amendment or for the dissolution of the *Landtag;* thus, the affirmation of over one-half of all eligible voters is frequently required for such action. In general, non-participation has proved as effective a stumbling block to direct legislation in the states as it has in the Reich.

The machinery of direct legislation has been called into operation more frequently in the *Länder* than in the Reich.[50] The number of cases of its use has increased greatly in the recent period of unrest marked by the rapid rise of the National Socialist party. Action calling for the dissolution of the *Landtag* has been most frequent. Thus initiatives introduced by political parties in opposition to the government and calling for *Landtag* dissolution have been introduced in Saxony (1922, 1924, 1931–32),[51] Bavaria (1924), Brunswick (1924, 1931), Schaumburg-Lippe (1924), Mecklenburg-Schwerin (1925), Hesse (1926), Lippe (1929, 1931), Prussia (1931), Anhalt (1931),[52] Oldenburg (1932), and Bremen (1932).[53] These actions have been initiated largely by the German National People's party, the National Socialist party, and the Communist party. Occasionally other parties, including the Social Democrats, have played supporting rôles.

Not until this year, however, has action of this type been carried

[48] Sec. 4.

[49] For example, Lippe, Art. 23.

[50] Where no other references are given, the writer has depended upon Hartwig, *op. cit.*, and upon information secured from the files of the *Leipziger Neueste Nachrichten.*

[51] *Leipziger Neueste Nachrichten,* March 23, 1932; *Dresdner Anzeiger,* April 18, 1932.

[52] *Leipziger Neueste Nachrichten,* August 3, 1931.

[53] *Bremer Nachrichten,* May 23, 1932.

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through to successful conclusion in the referendum. On April 17, 1932, the voters of Oldenburg chose to dissolve the *Landtag* on the occasion of a referendum initiated by the National Socialist party.[54]

In the cases cited above, however, the initiative was itself successfully carried in Saxony (1922, 1931), Bavaria, Brunswick (1924, 1931),[55] Hesse, Schaumburg-Lippe, Prussia, Lippe (1931),[56] and Oldenburg. In three of these instances, Saxony (1922), Brunswick (1924), and Bavaria, the *Landtag* dissolved itself, making further action unnecessary. In the remaining cases, the resulting referendum was not successful,[57] Oldenburg excepted.

The source of these actions has been, in general, party strategy. Especially in the last few years, this form of action has been taken by opposition parties as a means of undermining the parliamentary régime. No further proof of this statement could be required than the fact that in Prussia in 1931 and Saxony in 1932, the National Socialists and Communists stood in united support of the referendum calling for dissolution. The frequent use of direct legislation by the Communist and "Nazi" parties shows clearly their willingness to adopt weapons offered them by the republican system to which they are opposed.

The attempt of the Right groups in 1931 to dissolve the Prussian Diet may be taken as an example of such action. There appears to have been no immediate act of the Diet which could have motivated a desire for dissolution. Rather, this act of the Right opposition was the result of long planning, and was aimed to be the first stroke in a movement which would bring Prussia and the Reich into the ranks of the Right groups. The proposal (*Antrag*) for an initiative for dissolution was presented by Duesterberg and Seldte, leaders of the *Stahlhelm*, on the basis of a vote taken at the Coblenz meeting of that organization on October 4, 1930.[58] Severing, minister of the interior in Prussia, refused to accept this action, on the ground that it was not supported by the requisite number of voters.[59] The Stahlhelm thereupon collected enough signatures to compel him to accept the proposal, and the initiative vote was permitted.[60] The initiative vote held in April, 1931, resulted in 5,950,215 signatures;[61] during the following months, the Diet refused to dissolve itself, and the

[54] *Nachrichten für Stadt und Land*, April 18, 1932.

[55] *Münchner Neueste Nachrichten*, June 30, 1931.

[56] *Berliner Tageblatt*, April, 1931; *Neue Leipziger Zeitung*, April 27, 1931.

[57] The writer has been unable to obtain accurate information as to the results of the referendum in Brunswick (1931). Its success was considered unlikely.

[58] *Leipziger Neueste Nachrichten*, Feb. 6, 1931.

[59] *Ibid.*, Feb. 8, 1931.

[60] *Ibid.*, Feb., 1931.

[61] *Berliner Tageblatt*, May 1, 1931.

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date for the referendum was set for August 9. In the meantime, the Communist party gave its official support to the referendum.[62] The campaign for dissolution was carried on with great intensity; charges of pressure and unfair tactics were plentifully made by both sides. The referendum, however, failed; 39.2 per cent of the voters participated, the great majority, of course, being affirmative.[63] The Braun-Severing combination, as the Prussian Social Democratic régime was named by its opponents, was for the time being left in power. A study of the vote seems to indicate that the rank and file of the Communist party did not vote, being unwilling to follow the leaders into alliance with the party's arch enemies, the Fascists, who figured as the chief support of the entire movement.

In Bremen (1921) and Lübeck (1924), as a result of a vote of no confidence in the executive, referenda were called upon the question of executive resignation vs. legislative dissolution. In both cases, the voters chose to dissolve the legislature.

The initiation of legislation has been rare. In 1921, the Renters' Union of Greater Hamburg (*Mieterverband Gross Hamburg*) attempted to initiate legislation concerning rents, but the required number of signatures could not be obtained.

The initiative process was employed in Bavaria in 1924 in an attempt to secure a constitutional amendment. Since the inception of the present constitution of Bavaria, the right parties had been dissatisfied with its form. The chief desire of this political wing was for the creation of a strong state president. In 1921, and again in 1923, various methods of securing constitutional changes looking toward this result were attempted in the *Landtag*, but without success. Then an attempt was made to change the initiative process, making it easier through this medium to secure constitutional amendments. When this failed, the Bavarian People's party led the right groups in the introduction of an initiative to dissolve the *Landtag* and to call a new one which should have the power to alter the constitution by a simple majority. The two proposals were framed in two initiatives. Both were successful. As has been noted, the *Landtag* dissolved itself, thus preventing action on one; the other, which, in calling a constitutional convention, was in itself a constitutional amendment, failed to secure the necessary majority.[64]

In 1926, the *Landtag* of Schaumburg-Lippe, by a constitutional amendment, presented to the voters the question of union with Prussia. The voters rejected the proposition.

[62] *Die Rote Fahne*, July 22, 24, 1931.

[63] *Deutscher Reichsanzeiger und Preussischer Staatsanzeiger*, Sept 5, 1931.

[64] Compare Heinrich von Jahn, "Verfassung und Verwaltung in Bayern, 1919–1926," in *Jahrbuch des öffentlichen Rechts*, Band XV, pp. 1–50; *Kölnische Zeitung*, Jan. 22, 1924.

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In Mecklenburg-Schwerin in 1928, the *Landbund* introduced a proposal for an initiative to call the ministry before the state supreme court because of alleged misappropriation of funds designed to assist the farmers. The initiative failed.

It must be admitted that the twelve years' trial of direct legislation in the states of Germany does not seem to have resulted in much beneficial activity. The opportunities which the machinery offered to opposition groups resulted in great embarrassment to the governments and helped to keep the populace in a state of agitation. The expense of frequent voting must also be considered. In part, however, the comparative failure of direct legislation to the present time is due to the excessively severe requirements placed upon the process in the matter of obtaining majorities. Furthermore, the limitations relating to subject-matter explains in part the failure of the machinery to produce results. It would be unwise to assume, however, that the entire procedure is worthless. It proved of assistance to the executive in Lübeck and Bremen, and has been used to settle constitutional questions of great importance in Schaumburg-Lippe and Bavaria.

Where the ministry of the German *Land* does not possess the power of dissolving the legislative body, it would appear that the prerogative of calling for a popular vote upon the question of the dissolution of the *Landtag* would be an important, if not absolutely indispensable, aid to the ministry. In states operating under a party system such as that prevailing in Germany, deadlocks are apt to be frequent without some power of this sort. The use of the initiative to institute action looking toward the dissolution of the *Landtag* may also be a valuable substitute for the recall, especially under a system where the control of the legislative body is the only means of influencing public policy left to the electorate.

The use of self-determination through the medium of direct legislation offers a valuable method of solution to the problem of territorial reform. It has been employed three times in the Reich—in the cases of Upper Silesia, Hannover, and Coburg—and once in Schaumburg-Lippe. The problem of the small states of Thuringia, Lübeck, Lippe, Schaumburg-Lippe, and Bremen may well be settled on the basis of plebiscites uniting small states to form greater ones, or joining these small *Länder* to Prussia.

The future of direct legislation in Germany is, of course, uncertain, although some features of the practice as now developed may in the future be useful to the fascist form of government, should it be able to maintain itself. Though in temporary disuse, the institutions of the republican constitutions in their historical aspects cannot fail to be suggestive to students of politics.

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The Effect of the Depression on Canadian Politics, 1929–32. The war and the ensuing economic depression aroused divisive forces in Canadian life which only occasionally lie dormant—the forces of race, religion, occupation, and section. No patriotic speech delivered in English-speaking Canada from 1917 to 1922 was complete without a ringing declaration that the war had made Canada a nation. Actually, by the time of the conscription election of 1917, the war had made Canada two nations, one nation speaking English, the other speaking French. Nor did the English-speaking nation long remain united. The Ontario farmer had voted for conscription on the understanding that his sons would not be conscripted. His sons were conscripted, and the protests of his farm organization were met with contempt and derision. In revenge, he organized an agrarian political party. In western Canada, the causes which led the farm movement to enter politics were more deep-rooted than the mere emotionalism of Ontario, and consequently more obscure. The reciprocity campaigns of 1910 and 1911 had shown the farm movement its strength; the break of western Liberalism with Laurier in 1917 had laid the foundations of a third party; and the post-war depression provided the movement with its impetus and its objectives. The same depression strengthened, of course, the farm movement in Ontario and the nascent Labor movement in English-speaking Canada.

A general election took place in December, 1921, when the depression had almost reached its worst phase. The result in English-speaking Canada[1] was that the farmer-labor vote was greater than that given to either of the two old parties, while in French-speaking Canada the Conservative strength fell to about a third of what it had been even at the height of Laurier's power, and the Liberals polled three-quarters of the total vote.[2] Both old parties became eastern parties, more urban in English Canada than rural. The Liberal party became predominantly French; the Conservative party, almost entirely English-speaking. The Farmer party was even more purely English-speaking than the Conservative party, and was based on the wheat-growing prairie provinces, with strong support from mixed-farming southern Ontario.[3]

Thus it appeared in 1921 as if the old pre-war alignment of political

[1] English-speaking Canada means the aggregate of those constituencies or parts of constituencies where the population of French origin, according to the 1921 census, constituted less than a fifth of the whole. In French-speaking Canada, the population of French origin constituted four-fifths or more of the whole.

[2] The popular vote, in percentages, in English-speaking Canada in 1921 was: Conservative, 35.8; Liberal, 27.3; Progressive, 31.5; Labor, 5.2; Independent, .2. The popular vote in French-speaking Canada was: Conservative, 14.4; Liberal, 73.9; Farmer, 6.9; Labor, 1.0; and Independent, 3.8.

[3] I.e., that part of the province lying south and west of a line drawn from Georgian Bay to Kingston.

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forces in Canada had been forever destroyed. But partisanship is not so easily conquered in a country whose traditions are subtly intertwined with those of family and of religion. As the emotions aroused by conscription died down and the depression lifted, the forces of tradition gradually won back the ground which they had lost. By the general election of 1926, they had won half their battle in French Canada, two-thirds of it on the prairies, and in the English-speaking East their victory was almost complete.

What was this more or less normal alignment of political forces to which Canada had returned by 1926—the last general election before the great depression?

The government, or Liberal, party was controlled by two groups of interests of which much the more important was a French-speaking one based on the only great French economic region, the St. Lawrence Valley,[4] one of the two most industrialized regions in the Dominion. This group was dominated by urban interests centering in Montreal. The subsidiary group in the Liberal party was an English-speaking one based on the wheat-growing provinces of Manitoba and Saskatchewan, and dominated by rural interests. The opposition, or Conservative, party was controlled by English-speaking southern Ontario, the most highly industrialized part of the Dominion. There it was dominated by urban interests centering in Toronto. The subsidiary groups in the Conservative party were English-speaking ones from the Maritimes and British Columbia. Both of these regions depended on fruit farming and fishing. In addition, the Maritimes were interested in mixed farming and coal mining; British Columbia in mining and lumbering. Thus both major parties were dominated by the East—the Liberals by the French-speaking East, the Conservatives by the English-speaking East. Urban interests were more powerful in the Conservative than in the Liberal party. The Farmer party was confined almost entirely to the wheat-growing provinces of Alberta and Saskatchewan, while Labor had little strength outside the Prairies and British Columbia.

In July, 1930, after the depression had had ten months in which to effect changes in the alignment of political forces, a general election was held. The change in party voting strength over the Dominion as a whole was slight—the successful Conservative party polling a little more than 49 per cent of the total vote in 1930 compared to a little less than 46 per cent in 1926. Conservative gains were large only in French Canada and on the Prairies, and in both of these sections, but more especially in French Canada, the depression was a contributing, but not the major, cause. The result of these changes was almost to complete that process of re-

[4] I.e., the mixed farming part of the province of Quebec plus Eastern Ontario.

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storing the normal pre-war alignment of political forces which had been going on since 1917 in French Canada and since 1921 in English Canada; for the Conservatives regained their normal pre-war strength in French Canada, and everywhere the minor parties lost strength to the two old parties.

Because of its losses on the Prairies, the center of gravity of the Liberal party shifted eastward to the French St. Lawrence Valley. The center of gravity of the Conservative party also shifted eastward, so that, though still safely located in southern Ontario, it had, nevertheless, moved in the direction of the same French St. Lawrence Valley. The gap, therefore, between the sectional and racial bases of the two parties remained the same, for as the Conservatives became relatively less English, the Liberals became relatively more French, and as the Conservatives became slightly less sectional, the Liberals became more so. But the Liberal party shifted toward the cities, while in the Conservative party the relative importance of urban and rural interests remained unchanged, so that this gap between the major parties narrowed.

The effect of the depression by July, 1930, on the alignment of political forces was, therefore, not very striking. But the effect of transferring political power from that group of interests which had supported the Liberal government of 1926 to the group supporting the Conservative government of 1930 was very great; for the new governing group was dominated by eastern, urban, creditor, and capitalist interests to a greater degree than had been any previous government which had possessed a majority in the Canadian House of Commons.[5]

The depression was one of the causes of the accretion of strength which these interests had received. It also provided them with excellent reasons for raising the barriers against imports to unprecedented heights, and these increases in turn provided many Liberal manufacturers with equally good reasons for transferring their political allegiance to a party which had given such signs of intelligence. For a brief period during the Ottawa Conference, the faith of the manufacturers in the Conservative party was shaken; for at several dress rehearsals the prime minister gave excellent performances of the rôle of Sir Robert Peel. At the last moment, however, the production was cancelled. The manufacturers, more conscious than ever of their power over the Conservative party, were now more enthusiastic than ever in its support.

It did not necessarily follow from this loss of manufacturing support that the Liberal party would embrace a low-tariff policy with any more

[5] A detailed analysis of party alignments in 1930 is given in "Canadian Political Parties: A Study of the Economic and Racial Bases of Conservatism and Liberalism in 1930," *Contributions to Canadian Economics*, Vol. VI (Univ. of Toronto Press, 1933).

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sincerity than it was accustomed to display when it was in opposition; for it appeared as if the depression had with one hand taken away from the Liberal party a large *bloc* of supporters of a very high tariff, and with the other hand had given back a larger *bloc* of supporters of a moderately high tariff. By the summer of 1932, it seemed fairly certain that French Canada, in which the Conservatives had acquired only a precarious foothold in 1930, would at the next election return a solid contingent of Liberals to the House of Commons. One of the reasons for this was the shrinkage of federal revenues, caused by the depression. Another was the forceful and courageous character of the prime minister during his first two years of office. The shrinkage of revenue made necessary the abolition of pork barrel expenditures. The character of the prime minister transformed economic necessity into political actuality. As a result, it was difficult for the government to earn the gratitude of that important group of political realists in French Canada who usually supported the party in power, and if those realists could swing five per cent of the voters from the Conservative to the Liberal camp, the Conservatives would be left with only one constituency in French Canada.

If such shiftings to and fro of manufacturers and French Canadians, causing little change in party policy, had been all that the depression had accomplished by the end of 1932, it would not have been of extraordinary significance. But by that time far more fundamental changes had loomed up. For the depression appeared to be having an enormous political influence on regions of doubtful political allegiance—especially the two doubtful regions of greatest importance—the rural districts of the Prairies and those of Southern Ontario. By the end of 1932, there were signs that the allegiance of most of the Prairie countryside to the two old parties was no longer merely doubtful—it was foresworn; while the allegiance of the Southern Ontario countryside was in danger of going the same way. The cause of this was the continuing and deepening depression, which since July, 1930, had assumed entirely new characteristics. It could no longer be considered a normal cyclical depression, but appeared to presage the breakdown of a whole social system.

By December, 1932, the collapse was much worse than that which had taken place by the time of the general election of 1921, both in degree and in the fact that the peak from which the decline had taken place had been an established normal from 1926 to 1929, whereas the decline in 1921 had been from a temporary peak of prosperity to which the economic and social structure had not become adjusted. The depression of the early thirties being more severe than that of 1921, it was to be expected that a political revolution would arise which would go much farther than that of 1921, and would aim at more distant objectives.

The expected happened in the summer of 1932. The banner of agrarian

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revolt was once more raised on the Prairies. In July, 1930, the independent farmer movement had been beaten back to its sole remaining fortress, i.e., Alberta. Exactly two years later, it emerged from its retreat to take the lead in establishing—not a radical agrarian party as in 1921, but a national farmer-labor-socialist party which adopted the name of the Coöperative Commonwealth Federation, the C.C.F. By the end of the year, the C.C.F. had been pledged the support of the United Farmers organizations in the three Prairie provinces and in Ontario, and of the Labor and Socialist parties west of the Ottawa River. It had also taken steps to organize its middle-class sympathizers into C.C.F. clubs. Should the election be deferred for two more years, should the depression continue unabated, and should the movement be guided by good generals—and the first two of these eventualities seemed likely—no one at the end of 1932 could prophesy with any degree of certainty the strength of the new movement in the next parliament.

It was possible, however, to guess the type of political forces which would line up behind its banner. Such a guess could be based on the political effects of the depression in English-speaking Canada in 1921. Other things being equal, if the economic effects of both depressions were somewhat the same, the political effects of the two might also be similar; and if the economic effects of the second were more far-reaching, the political effects might likewise be more far-reaching. Other things, of course, were not equal, and consequently the parallel was not exact.

For one thing, the meager results which had flowed from the first post-war revolt made it difficult to arouse on the Prairies and in Ontario that naïve enthusiasm characteristic of the 1921 movement. On the Prairies, the high hopes of 1921 had been falsified by the failure of most of the political and economic experiments made by the farmers from 1921 to 1931; while in Ontario the set-back to the movement in 1923 had been followed by the discovery of a scandal and the consequent imprisonment of one of the former cabinet ministers in the provincial Farmer-Labor government. Nor had any issue arisen in Ontario by the end of 1932 to stir the emotions of the farmers as the conscription of their sons had stirred them in 1918. The emergence of such an issue in Ontario seemed even more essential to the success of a third party in the thirties than in the twenties, for the farmers were now being asked to vote, not for radicalism but for socialism, and to many of the religious among them—and most Ontario farmers were still religious—socialism was synonymous with communism, and communism inseparable from militant atheism. On the other hand, the bi-party tradition was weaker in English-speaking Canada in 1932 than in 1921; for by 1932 a whole generation had grown to maturity under such disturbed political conditions that it had never had a fair chance to acquire that proud possession of its parents, unquestioning

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loyalty to an inherited party. There had even been time to establish on the Prairies a tradition of political independence.

In 1921, the Prairie farmers had provided the backbone of the Progressive movement, about seventy per cent of them voting in its favor, and had thus elected more than half of the 61 Farmer members in the House of 234.[6] They had done this when the purchasing power of a bushel of No. 1 Northern wheat at Winnipeg, in terms of the wholesale prices of fully and chiefly manufactured goods, had fallen to 91 per cent of the mean from 1921 to 1930. The fall by December, 1932, was to 55 per cent.[7] One of the results of this collapse in the price of wheat was that fixed debt charges, contracted when "dollar wheat" was considered a poor price, bore down insufferably upon the great majority of the farmers of the Prairies; for the great majority of them were debt-ridden. Careful study showed in Saskatchewan, for example, that less than 20 per cent of the farmers were free of serious debt. Even if the depression should lift, the Prairie farmer did not have a bright future to which to look, for without sweeping debt adjustment it appeared likely that he would emerge from the depression as a tenant farmer. Thus by 1932 the wheat farmer was being forced to realize that he was no longer an *entrepreneur*, and consequently no longer a defender of the capitalist system; he was now a member of the propertyless class—the proletariat. The great barrier which had stood in the way of the formation of a farmer-labor party on the Prairies was down.

Meanwhile, what was happening to the farmers of Southern Ontario? There is unfortunately no index similar to that used for the Prairies which is peculiarly applicable to Southern Ontario. However, the index of the prices of Canadian farm products in general compared with the index of the prices of fully and chiefly manufactured goods[8] is a fair indication of the condition of the farmers in Southern Ontario, and in the other mixed and fruit farming regions of the Dominion—the St. Lawrence Valley, the Maritimes, and British Columbia.

These indices provide a basis for an economic interpretation of the rise

[6] Speaking strictly, these voters should not be called farmers, but voters living outside of towns and cities having a population of over 1,000 in 1931. The popular vote in these rural districts of the Prairies in 1921 was: Conservative, 15.8 per cent; Liberal, 12.3 per cent; Progressive, 69.1 per cent; Labor, 2.4 per cent; and Independent, .4 per cent.

[7] I am indebted to the statistical department of the Bank of Nova Scotia for permission to use its indices of industrial employment and of the prices of wheat, farm products, and manufactured goods.

[8] *Index of the Prices of Canadian Farm Products Compared with Index of the Prices of Fully and Chiefly Manufactured Goods.* Base = 100 = mean 1924–30. In December, 1921, the former index stood at 92.4, the latter at 105.6. In December, 1932, the former stood at 44.5, the latter at 70.4.

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and fall of the farmer movement in the twenties, and therefore a basis for prophecy in 1932. For from July, 1920, to July, 1925, the index of the prices of farm products had remained lower than that of manufactured goods—and the agrarian political movement had flourished. From October, 1926, to June, 1930, the index of the prices of farm products had remained higher than that of manufactured goods—and the agrarian movement had declined. But from July, 1930, to December, 1932, the index of the prices of farm products had remained lower than that of manufactured goods, and the gap between them had continually grown greater. A spread of 13 points between the two indices had been enough in December, 1921, in company with other forces such as anger over conscription, to cause almost half of the farmers of Southern Ontario to forsake their old party loyalties, and thus to elect 19 Farmer members to the House of Commons.[9] By December, 1932, the spread was twice as great. In that month, the farmers were selling their goods at 45 per cent of predepression prices, the manufacturers at 70 per cent. Thus even though the farmers in the mixed and fruit-farming regions were less heavily indebted than the wheat farmers, and were more self-sufficient, it appeared by the end of 1932 well within the bounds of possibility that an agrarian revolt in those regions would be more successful in the early thirties than it had been in the early twenties. In Southern Ontario, the revolt had the tradition of 1921 on which to build; but the independents in 1921 had not made much impression on British Columbia or on the English-speaking constituencies of the Maritimes, polling only a quarter of the rural vote in the former region and less than a seventh in the latter. In rural French Canada, the agrarian independents of 1921 had polled only one-thirteenth of the vote, and some of the so-called Progressive candidates were probably Conservatives in sheep's clothing. It seemed improbable at the end of 1932 that the agrarian movement would make much greater headway in French Canada in the thirties than it had done in the previous decade.

However, it appeared very probable that the Coöperative Commonwealth Federation would receive much greater support in the cities and towns of English Canada than had Progressive and Labor candidates in 1921. They had then received a fifth of the vote;[10] but at the time of the general election of that year general industrial employment in Canada

[9] If the vote in the cities and towns which had in 1931 a population of over 1,000 be deducted, the vote in English-speaking Southern Ontario in 1921 was: Conservative, 33.0 per cent; Liberal, 19.6 per cent; Progressive, 45.0 per cent; Labor, 2.4 per cent.

[10] In the sixteen largest cities of English-speaking Canada, the popular vote in 1921, by percentages, was: Conservative, 46.7; Liberal, 33.8; Progressive, 5.5; Labor, 13.5; Independent, .5. In the remaining cities and towns of English-speaking Canada which had in 1931 a population of over 5,000, the popular vote in 1921 was: Conservative, 42.6; Liberal, 36.1; Progressive, 16.6; Labor, 4.7.

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was 77 per cent of what it had been in the peak month of April, 1920, whereas by the end of 1932 it had sunk to 69 per cent of the peak of August, 1929.[11] Industrial unemployment had, moreover, continued so much longer than in the first post-war depression that it had wiped out the savings not only of the working-class unemployed, but also of many of the middle-class unemployed, who had therefore swelled the ranks of the proletariat. Even the seven-tenths of the industrial workers who were still employed were hard hit by low wages, short time, and the constant threat of unemployment. The Labor movement was also more strongly organized than in 1921, for it had built in Winnipeg and Vancouver two fortresses which had resisted even the attacks of prosperity. At the end of 1932, it did not seem likely, however, that a labor-socialist party would make any greater impression on the urban French Canadian than an agrarian party would make on the *habitant*.

Thus an observer of the Canadian political scene in December, 1932, would guess that the independent party being thrown up by the crisis would be based on the farmers of the wheat-growing Prairies and to a lesser degree on those of mixed-farming Southern Ontario; that the group of minor importance in it would be a labor and socialist one, with special strength on the Prairies and in British Columbia, and with diminished strength in the rest of English-speaking Canada; that it would be purely English-speaking, and therefore mainly Protestant; that it would be dominated by rural interests and by the West. Such a party would obviously not be homogeneous, for the depression had moderated, but not resolved, the conflict of interests between farmer and labor groups and between eastern and western farmers. Nevertheless, the heterogeneity of the new independent party did not necessarily spell collapse, for any national party which seeks to obtain a majority in a Canadian House of Commons must be heterogeneous. It would, however, be more difficult for a new heterogeneous party like the Coöperative Commonwealth Federation to keep together than for an old heterogeneous party like the Liberal or Conservative, which, in order to prevent defections from its ranks in Parliament or the country, could depend upon inertia or appeal to tradition.

What effect, beyond this detachment of farmer-labor groups, was the depression having on the alignment of political forces behind the two old parties? It had, as was pointed out earlier, forced the manufacturers into

[11] *General Industrial Employment in Canada.* Base = 100 = mean, 1925–1929. Corrected for shifting seasonal variation. The peak of the post-war boom was reached on April 1, 1920, when the index stood at 105.9. On December 1, 1921, it stood at 81.7. After reaching a low of 78.8 on February 1, 1922, it rose to a peak of 114.4 on August 1, 1929. By January 1, 1933, it had descended to 78.8.

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the Conservative camp, and apparently tended to push the French-Canadians back into the Liberal one, and thus had occasioned little change in party policy. The Liberal party, until the beginning of 1932, had, in fact, consciously enunciated no new policies, for it had relied upon the usual swing of the electoral pendulum to carry it back into power. But by the spring of 1932 certain of its English-speaking leaders had come to realize that the adoption of a definitely radical program was essential if gains were to be made, or even further losses prevented, on the Prairies, shocked by the Beauharnois scandal and disaffected by the depression. The results of the presidential election in the United States in November put a stop to this swing to the left, for the right wing claimed on the strength of the overwhelming Roosevelt victory that an opposition party in Canada could also win without a program. Moreover, the right wing was supported in its conservative stand on social and financial matters, though not in its advocacy of high tariffs, by the Prairie Liberal press which had formerly advocated left-wing policies, but which now, in revulsion from the obvious ill effects of world-wide intervention by governments in business, sought refuge in *laissez-faire*. The apparent success of the appeal made by the Coöperative Commonwealth Federation to Southern Ontario in December, 1932, provided the members of the *neo-laissez-faire* wing with new arguments. They now declared that their tactics could alone be successful, for only by expressing their abhorrence of state intervention in the economic life of the country could the Liberals distinguish themselves from the C.C.F. But such a policy could scarcely be successful in attracting support on the Prairies, for it made it almost equally impossible for the Liberals to distinguish themselves from the Conservatives, as far as their answers to the demands of that region were concerned. The main difference in party policy was in the Liberal advocacy of lower tariffs; but many questioned whether that advocacy was sincere. It thus appeared as if the Liberals were tending to become a French Roman Catholic party, with some support from the English-speaking East, especially from the rural districts of Southern Ontario and of the Maritimes. Such a party might profess *laissez-faire* when it was in opposition, but if it ever became the government it would be forced by the breakdown of the international order, of which the breakdown in international trade was only one aspect, to a policy of state intervention in business and a policy of state social services.

That is what had happened to the Conservative party since 1930. It had embraced the new creed with so much enthusiasm that it not only had controlled, for example, the movements of international trade and finance, speculated on the wheat market, and advocated unemployment insurance and the increase of federal legislative powers, but also had nationalized radio broadcasting and had introduced a bill the purpose of

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which was government control on an unprecedented scale, not only of the nationalized, but also of the privately-owned, railways. Unlike the Liberal party, the Conservative party was obviously not suffering from a nostalgia for *laissez-faire*. It could not, on the other hand, be accused of socialist leanings, for no party so representative of eastern, urban, creditor, and capital interests would swerve to socialism. Its tendency would naturally be to fascism, and the Conservative party under the force of the depression appeared to be moving in that direction. It had assumed dictatorial powers; it had on at least one occasion favored with secret concessions the private interest which it had subjected to control; it had put down communism with an iron heel; and it was fervently nationalist in politics and economics. It seemed obvious that the Conservative party was being moulded by the depression into a body dominated as in 1926 by English-speaking Canadians and Protestants, and more eastern, industrialist, and capitalist than ever before. It was possible that it was tending to fascism; that is, that the logical development of Conservative policy was the creation of a non-democratic, fervently nationalist state with a planned economy which would give its subjects increased economic security by means of social services, but which would, in the main, be administered by and in the interest of the big industrialists.

The policies of the two old parties were becoming very different from what they had been before 1929, but it was probable that in the future as in the past their policies would not differ greatly from each other. And if the depression should continue, a national emergency might before long force them to unite in a national government.

Such, it appeared at the end of 1932, would be the immediate political effects of the depression. The long-run political effects depended on the long-run economic effects of the depression, which then appeared incalculable, and on the generalship displayed by the various party leaders, which also appeared incalculable, at least as far as the leaders of the Co-operative Commonwealth Federation were concerned. The C.C.F. needed a leader of iron who could weld into one fighting unit a loosely knit and undisciplined federation. It possessed instead in J. S. Woodsworth an idealistic leader of great genius who believed that party discipline was immoral. Should he continue to hold that belief, and should no one arise to enforce discipline within the party in the next parliament, it seemed extremely probable that the movement would split as had the Progressive movement after 1921. Especially would this be likely to happen, no matter how strong the leadership, if the depression should lift and the price of farm products should, as in 1926, rise higher than that of manufactured goods. If the old parties had not become indissolubly united by then, one of them, by means of the Liberal tactics of 1921 to 1926, would probably succeed in absorbing the right wing of the independ-

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ent movement. Even if this happened, the rise of the Coöperative Commonwealth Federation would have cleared the way for the growth of another socialist party in the future. But, given good generalship and the continuance of the depression until it were firmly established, the C.C.F. could probably within the decade force Liberals and Conservatives into a permanent union, and political parties in Canada would, for a time at least, be very sharply divided on lines of race, religion, occupation, section, and therefore policy.

ESCOTT REID.

Canadian Institute of International Affairs.

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NEWS AND NOTES

PERSONAL AND MISCELLANEOUS

Compiled by the Managing Editor

By vote of the Executive Council, the next annual meeting of the American Political Science Association will be held at Philadelphia on December 27–29, 1933. The Association's headquarters will be at the Bellevue-Stratford Hotel. Members may be reminded that the chairman of the committee on program is Miss Louise Overacker, of Wellesley College, who will be glad to receive suggestions. The chairman of the committee on local arrangements is Professor James T. Young, of the University of Pennsylvania.

Professor E. C. Branson, of the University of North Carolina, died on March 13. Few persons have had a larger share in bringing about the increased attention which county government is now belatedly receiving in various parts of the country.

Professor Manley O. Hudson, Bemis professor of international law in the Harvard Law School since 1923, has been designated by President Roosevelt as a United States member of the Permanent Court of Arbitration at The Hague. He fills the vacancy created by the recent death of Mr. Robert E. Olds.

Professor Harold W. Dodds, chairman of the administrative board of the School of Public and International Affairs at Princeton, was elected president of the University on June 2.

During the coming year, the department of political science at the Johns Hopkins University will be in charge of a committee consisting of Professor James Hart and Drs. Frederic S. Dunn and Johannes Mattern. Professor W. W. Willoughby has retired, but nevertheless will give a course of lectures on the jurisprudence of the League of Nations.

Professor Marshall E. Dimock, formerly of the University of California at Los Angeles, has returned from a year's work in London as a Social Science Research Council fellow and has assumed his new post as associate professor of public administration in the University of Chicago.

Professor William A. Robson, of the London School of Economics and Political Science, offered a course on contemporary aspects of British public administration at the University of Chicago during the spring quarter.

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During recent months, Professor Charles E. Merriam gave a special series of lectures at the University of Chicago on "The Composition and Incidence of Political Power." Professor Quincy Wright also gave a series on "Causes of War," presenting the results of five years of intensive investigation of the subject.

Under a plan whereby the American University Union in London sends out American professors when spending their sabbatical years in the British Isles to deliver week-end lectures at various provincial universities, Professors Jerome D. Greene and Harvey Walker have recently lectured at the University of Sheffield and the University of Hull, respectively.

Dr. Donald C. Blaisdell, assistant professor of political science at Williams College, will offer a course in American government and one in international government in the coming summer session of the University of Rochester.

Professor Frederick L. Schuman, of the University of Chicago, will be abroad until the second quarter of the next academic year.

On the basis of a Social Science Research Council fellowship, Dr. Lawrence Preuss, of the University of Michigan, will devote the coming year to a study, in Germany, Austria, France, and Switzerland, of international limitations on penal competence of states, especially with reference to political crime.

A conference of police experts and representatives of leagues of municipalities and of governmental research bureaus met at the University of Chicago on April 21 and 22 for the purpose of discussing future developments in the field of police training.

At a meeting held at the Catholic University of America on April 30 in commemoration of the contribution of Francisco Suarez to international law and politics, Professor Peter V. Masterson, of Georgetown University, spoke on "Suarez and his Times;" Professor Herbert Wright, of the Catholic University, on "Suarez and the State;" and Dr. James Brown Scott, of the Carnegie Endowment for International Peace, on "Suarez and International Law."

Professor David P. Barrows, of the University of California, will spend the academic year 1933–34 as Roosevelt professor at the University of Berlin. His lectures will have as their general title "The New World Called America," and will undertake to interpret the political and social life, the

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economic resources, and the future political ties and relationships of the countries of the western hemisphere. Professor Barrows will also conduct a seminar on "Types of Modern Colonial Administration."

Considerable interest attached to the meeting of the North Carolina Institute of Government on the campus of the University of North Carolina on June 1–3, for the reason that it represented an attempt—probably the first of the kind ever made—to bring together in joint conference city aldermen, county commissioners, state legislators, and representatives in Congress for the consideration of national and state legislation and its bearings on the interests of the people. An attendance of more than a thousand was expected, and it was planned to make the Institute the first of a series of annual meetings of the kind.

The second summer session on the teaching of international law will be held at the University of Michigan from July 17 to August 18. An extensive schedule of courses, group conferences, and public lectures will be carried out by Dr. James Brown Scott, Carnegie Endowment for International Peace; Mr. George A. Finch, managing editor of the American Journal of International Law; and Professors George Grafton Wilson of Harvard University, Charles Cheyney Hyde of Columbia University, and Jesse S. Reeves of the University of Michigan. Further information may be had by applying to Mr. Lawrence E. Hartwig, Angell Hall, University of Michigan.

The eleventh annual session of the Academy of International Law at The Hague will be held from July 3 to August 25. As usual, the session will be divided into two terms of equal length, with the same number of courses and lectures, but on different subjects. Students may attend either or both terms. The only American names which one notes in the ample list of lecturers are those of Professor Charles E. Hill, of George Washington University, who in the first term will lecture on "The International Régime of Maritime Straits," and Professor Helen Dwight Reid, of the University of Buffalo, who in the second semester will lecture on "International Servitudes." Information concerning the session may be obtained by applying to Room 50, Peace Palace, The Hague.

The coöperative service to public officials, research agencies, and others interested in government organized in 1926 under the auspices of the National Municipal League, the American Municipal Association, the Governmental Research Association, and the International City Managers' Association, and heretofore conducted under the name of Municipal Administration Service, has been reorganized under the name of Public Administration Service, and will hereafter be conducted from

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850 East 58th Street, Chicago, with Mr. Charles S. Ascher as director. The publication program of the Service will continue with the least possible interruption. The next monograph will be one of the series devoted particularly to problems of the small city: *Planning for the Small City*, by Russell V. Black, planning consultant of Princeton, N. J.

The Social Science Research Council has announced the award of 42 grants-in-aid of research, 15 new fellowship appointments, two fellowship appointments for periods of one year, and two fellowship extensions for less than one year. The grants-in-aid totalled $19,290; the fellowships, $49,000. Among recipients of grants-in-aid are Professors Albert R. Ellingwood, of Northwestern University, for completion of a bibliography of federal constitutional law in the United States; Luther H. Evans, of Princeton University, for completion of a study of the Virgin Islands under American rule; Martin L. Faust, of the University of Missouri, for completion of a study of the security of public deposits; Nathan P. Feinsinger, of the University of Wisconsin, for completion of a study of divorce law administration in England; Frederic H. Guild, of the University of Kansas, for completion of a study of legislative roll calls; Alpheus T. Mason, of Princeton University, for completion of a study of Mr. Justice Brandeis as a student of social and economic science; Miss Louise Overacker, of Wellesley College, for completion of an analysis of the 1932 campaign funds of the national party committees; and Amry Vandenbosch, of the University of Kentucky, for aid in the publication of *The Government and Problems of the Dutch East Indies*. Fellowships were awarded to Drs. Albert Lepawsky, of the University of Chicago, for a study of the government of European metropolitan regions, and Lawrence Preuss, of the University of Michigan, for a study of international limitations upon the penal competence of states.

There has been organized in the department of government of the Washington Square College, New York University, a Division of Research in Public Administration. Dr. Russell Forbes, who has been promoted from an associate professorship to a professorship in the department of government, has resigned as secretary of the National Municipal League to become the director of the new Division. The objects of the Division will be to coördinate the research activities of the members of the department of government of Washington Square College who are working in the field of public administration, to train undergraduate and graduate students for public service, and, with the coöperation of other interested divisions of the University, to offer courses through the Graduate School leading to the degrees of master of arts and doctor of philosophy in public administration. The plans of the Division include provisions for research

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fellowships in public administration and for the publication of the results of the research projects undertaken under its direction. In an extra-curricular way, the Division plans to undertake, at the request of public officials or organized citizens' groups, surveys of specific problems affecting the organization and administration of New York City and other governmental units in the metropolitan region; and to conduct annual one-week intensive courses in municipal administration for the benefit of the thirty thousand public officials of the New York metropolitan region. The establishment of the Division comes at an opportune time, when governments are seeking impartial and unbiased assistance in the solution of their financial and administrative problems, and when the public is specially concerned with ways and means of reducing governmental costs.

Meeting of the Northeastern Group of the American Political Science Association. Political scientists from twenty colleges and universities in the Middle Atlantic and New England states met at New York University on April 13–14 to discuss recent political developments throughout the world. The conference constituted the first regional meeting of the Northeastern Group of the American Political Science Association. The program was under the direction of Professor Charles Hodges, of New York University, who was named as chairman of an organization committee at a meeting on December 28, 1931, in Washington during the annual Association meeting. The other members of the committee included Professors Blaisdell, of Williams; Bradley, of Amherst; Graves, of Temple; Kalijarvi, of New Hampshire; Mattern, of Johns Hopkins; Myers, of Princeton; Mosher, of Syracuse; Notz, of Georgetown; Rogers, of Columbia; Steever, of Lafayette; and Weber, of Hunter.

The first meeting was held as a result of an extensive questionnaire last fall, which covered the possibilities of a spring program which would bring together political scientists and authorities outside the academic field. Newspaper and magazine editors and executives of social organizations, as well as professors of government and political science at leading universities, were on the two-day program. Informal discussions of the topics, rather than prepared addresses and papers, were planned for each of the six divisions of the Conference.

Three conference sections were held simultaneously on the morning of April 13. "The Government's Economic Leadership" was discussed in the first group by four speakers: Professors William E. Mosher, Syracuse University; Arthur W. Macmahon, Columbia University; Walter E. Spahr, New York University; and Bernhard Ostrolenk, College of the City of New York. Arthur S. Draper, assistant editor of the *New York Herald-Tribune* and a member of the Council of New York University, led the discussion of the second section on "The United States and League

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Sanctions." Other speakers in this section were Roy H. Akagi, visiting lecturer on Japanese affairs at Columbia University; Chih Meng, associate director of the China Institute, New York; and Frank R. Eldridge, of the Department of Trade and Industry at New York University. "Dictatorship in the United States" was the subject of the third section. The speakers included Professor Arthur N. Holcombe, Harvard University; Abraham Markoff, director of the Workers' School, New York; Frank Palmer, editor of the Federated Press; and Professor James T. Young, of the University of Pennsylvania.

"Why Have the Men Educated as 'Political Scientists' Failed to Make Practical Contributions of Importance?" was discussed at luncheon on Thursday at the Fifth Avenue Hotel. Professor Herman C. Beyle, Syracuse University, and Mr. John Chamberlain, of the *Saturday Review of Literature* and author of *Farewell to Reform*, were the speakers. Dean Rufus D. Smith, of New York University, presided.

Three conference groups also met simultaneously on the morning of April 14. "Money Power and Government," the subject of Conference One, was discussed by Professor Mosher; William C. Beyer, director of the Bureau of Municipal Research, Philadelphia; Wilder M. Rich, director of the governmental research department of the New Jersey Taxpayers Association; Benjamin C. Marsh, executive secretary of the People's Lobby; and Professor Joseph D. McGoldrick, Columbia University. "The United States and League Sanctions" was again the subject of Conference Two, discussed by Professor John B. Whitton, Princeton University; Dr. Josef L. Kunz, University of Vienna; and Samuel Colcord, of the Committee on Educational Publicity. Conference Three continued the round table on "Dictatorship." The speakers included Dr. Johannes Mattern, Johns Hopkins University; Professor C. A. Friedrich, Harvard University; Dr. Carlo M. Flumiani, formerly of the University of Milan; and Walter Millis, editorial writer on the *New York Herald-Tribune* and author of *The Martial Spirit*. It dealt with the international aspects of the question.

"The New Relations of Government and Business" formed the subject of an address by Bruce Bliven, editor of the *New Republic*, at a luncheon on April 14 presided over by Professor Rinehart J. Swenson, chairman of the department of government at New York University.

Those in attendance favored the continuation of the group, and a spring meeting for 1934 was authorized. Professor Hodges was asked to continue as chairman of the organization committee, and was empowered to prepare for the next year's conference.—RINEHART J. SWENSON.

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Looking Forward. By Franklin D. Roosevelt. (New York: The John Day Company. 1933. Pp. 279.)

This volume is the analogue of Woodrow Wilson's *The New Freedom.* It was compiled from articles and speeches, and concludes with the inaugural address. It is meant for the average citizen. He will find in it an intelligent survey of current problems and a clue to what is going on in Washington. It is also recommended to Herbert C. Hoover, and especially to Albert C. Ritchie. To its author is recommended George Soule's *A Planned Society.* Its chief interest for the political scientist lies in what it reveals about the mind of the man of the hour.

The reviewer had read some of these speeches during the campaign. He had reacted against Candidate Roosevelt as a light-weight politician who sought office by capitalizing popular discontent and avoiding offense to any group. Seven weeks of Roosevelt in action, however, have forced a revised estimate of the man and put new meaning into the volume under review. It is worthy of re-examination.

President Roosevelt has not worked out a new social philosophy as a logically unified whole. Perhaps it is too early to develop a rigid ideology to fit the conditions which have resulted from the second industrial revolution. Nor does he fail to take the American system as his starting point,[1] to fall back at times into the ideology of the agricultural era,[2] and at times to speak as a politician gleaning votes.[3] The result is that time alone can tell how far he will go. The significant thing is that he is no mental slave to the shibboleths of the nineteenth century. His thinking has in a marked degree broken through the *idées fixes* of *laissez-faire*, rugged individualism, and states' rights. While he has not thought through the implications, he has glimpsed, as has no other American statesman, the need for an ideological revolution.

This is not indicated by his mere use of the term "national planning". This variable can be made to embrace Hoover's coöperation at one end and Stalin's five-year plans at the other. Roosevelt's applications of it will seem utterly inadequate to Norman Thomas, but utterly revolutionary to old-school liberals. Other indications both that he has escaped and that he has only partially escaped from "the pattern of an outworn tradition" (p. 263) are scattered through the pages of his book. "But above all, try something" (p. 51). He speaks of "bold, persistent experimentation" (p. 51), and of economic laws as "definitely man-made" (p. 251). "Govern-

[1] See pp. 151, 186, 224–5, 237, 244.
[2] See pp. 24–25, 139, 202, 225, 244.
[3] See pp. 129, 151–2, 167, 172, 185–90, 221–2, 249, 254–5.

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ment . . . must intervene, not to destroy individualism, but to protect it" (p. 21). "The relations between government and business will necessarily be in process of redefinition during the coming years" (p. 246).[4] To the reviewer, the success or failure of Roosevelt will be the test of whether we can get along without something far more radical.

JAMES HART.

Johns Hopkins University.

Our Obsolete Constitution. By WILLIAM KAY WALLACE. (New York: The John Day Company. 1932. Pp. 226.)

More than one hundred fifty years ago—in 1769, to be precise—David Hume pronounced the British constitution "an obsolete chimæra." Mr. Wallace leaves out the "chimæra," but is no less positive: "The [American] Constitution . . . no longer fulfills a useful purpose in our social life" (p. 30). What is more, "unless we draft a new instrument of government which takes into account the fact that society today is no longer concerned with political problems but with economic problems, no solution is possible. The only alternative is revolution by direct action" (p. 95).

The antithesis here implied of "political problems" to "economic problems" seems to have been a slip of the pen. Actually, what Mr. Wallace is driving for is a more effectively organized political mechanism for the more effective handling of economic problems. While not mentioning the Technocrats, he endorses their ginger-bread kingdom where wishes are horse-power and everybody is withheld but a few hours a day "from true self-expression in the arts and creative craftsmanship" (p. 93)—an attractive picture, but one that the great majority of its proposed beneficiaries would find rather puzzling.

Coming down to brass tacks, Mr. Wallace proposes—among other things—"a carefully planned system of public insurance" to "cover all of the contingencies and possible caprices of fortune in the life of the individual" (p. 183); "nine regional states in place of the present forty-eight" (p. 185); a national board of directors, consisting of four or six representatives from the regional states, and "endowed with . . . authority to settle all problems of national or international import" (apparently without the aid or consent of any other nation) (*ibid.*); the elimination of the profit motive (p. 188); the organization of the credit structure as a public function" (p. 191); and so forth.

Mr. Wallace thus combines into one program moral aspirations, legislative reforms, and structural constitutional changes. The first, if they are sound, should give rise to the second and be sustained by them. The

[4] See also pp. 13–14, 25, 28, 35, 49, 55–6, 68, 75, 98, 99, 109, 116, 120, 139, 143, 151–2, 164, 165, 202, 223–4, 225, 237, 241, 243, 257.

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second may be endorsed with some reservations —for Mr. Wallace bids rather high in his desire to take *all* the risk out of life. The essential question is the need of the third—is the Constitution obsolete? Mr. Wallace's argument under this, his main head, is by no means convincing. He assails the Constitution at once for its unadaptability and for its having admitted changes not in harmony with its original intention (see pp. 53, 57, 59 61–62, 179, etc.). The latter, indeed, he feels to be a special grievance. Thus the Sixteenth Amendment "nullifies a fundamental doctrine of the Constitution;" "it lays down the principle that private wealth may be preëmpted for the benefit of the commonwealth," with the result that "property is no longer held by absolute right," but "is now recognized in law as conditional" (pp. 61–3); all of which makes the Constitution "a dead letter." In short, by setting up the Supreme Court's decision in the Pollock case in 1895 as the *true* Constitution of 1789 instead of the Supreme Court's decision in the Hylton case a century earlier, Mr. Wallace has an easy time of it.

To my mind, the sole question raised by Mr. Wallace's title (rather than the book itself) is this: Does the Constitution stand in the way of a resolute leadership in the national government, and one motivated by the desire to serve the interests of the great mass of the people? Granting this resolute leadership, I do not see that the *Constitution* opposes any insuperable obstacles to the realization of such a program.

EDWARD S. CORWIN.

Princeton University.

In Defense of the Senate; A Study in Treaty-Making. By ROYDEN J. DANGERFIELD. Introduction by Quincy Wright. (Norman: University of Oklahoma Press. 1933. Pp. xvii, 365.)

The contents of this volume might have been more accurately indicated if it had been called, "The Influence of the Senate on Treaties, 1789–1932." The actual title is likely to give the impression that the author has started with his conclusion and has then selected for presentation such evidence as seems to support it. Such an impression, however, is erroneous and is quickly dispelled by even a cursory examination of the contents. Books apparently intended to establish a certain proposition in reference to a controversial question are usually subject to the suspicion of being biased, but in this volume the author shows little or no tendency to go beyond such conclusions as the facts justify. Many loose statements regarding the influence of the Senate on treaty-making have been made, even by reputable political scientists. Frequently, such statements are based merely on general impressions and are not borne out by a careful examination of the facts. Such examination has been made in the present

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volume, and results in showing that the evils of senatorial participation in treaty-making have not been so great as some writers on the subject have supposed.

The distinctive feature of the volume is that it employs the statistical method in evaluating the influence of the Senate in treaty-making—a method which the author uses successfully, partly because he realizes its limitations. It cannot, for example, measure the extent of the Senate's influence in deterring the submission to it of treaties because of the fear that they will not be approved.

Although the author minimizes the adverse influence of the Senate, he admits that in some instances the effect of the Senate's action in refusing to approve a treaty, or in approving it subject to conditions, has been unfortunate. He deprecates suggestions for remedying this situation which would require constitutional amendment, not only because such amendment would be difficult to effect, but also because it is unnecessary. Instead, he recommends the adoption of certain procedural modifications, including the creation of a foreign relations cabinet, composed of representatives of the State Department and of the committees of both houses of Congress that deal with foreign relations. This arrangement would be calculated to bring about more effective coöperation between the executive and the legislature in treaty-making.

The book will not appeal to the general reader, but to the special student of the subject it will be indispensable.

JOHN M. MATHEWS.

University of Illinois.

The Strangest Friendship in History: Woodrow Wilson and Colonel House. By GEORGE SYLVESTER VIERECK. (New York: Liveright, Inc., 1932. Pp. xiv, 375.)

Mr. Viereck's thesis is that the history of America between 1912 and 1920 is the history of the friendship of Woodrow Wilson and Colonel House. The government during this period is characterized as a duumvirate; Colonel House was Wilson's "other self." When the two friends worked in harmony, all was well; "a divergence of purpose between Wilson and House caused them to lose the main game in Paris" (p. 88). The concluding statement in the book repeats the thesis: "For all his might, Wilson could not stand alone. In every fruitful enterprise, he borrowed the Colonel's brain. I shall not impute feet of clay to the idol. I concede they are living flesh. But they are not his own. Woodrow Wilson stalks through history on the feet of Edward Mandell House" (p. 349).

If the friendship of Colonel House was so indispensable to Woodrow Wilson, why was it broken in the critical days of 1920? Mr. Viereck's

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answer is ill-health and Edith Bolling Wilson. "Pushing aside the veil of the mystery behind the House-Wilson break, one finds behind it, enthroned in purple, the figure of Mrs. Wilson" (p. 274).

What is Mr. Viereck's proof of his thesis? In his introductory statement, he lists many books from which he has gathered information; but he adds that he has drawn freely upon his own experiences, having known many of the personages who appear in his narrative. Parts of his manuscript were read by Emperor William and Colonel House, and government officials and close friends of Woodrow Wilson answered questions propounded by the author. Letters and documents—in the latter instance, particularly the diary of Colonel House—are quoted. Mr. Viereck was allowed to read the confidential letters from Wilson to House, though Mrs. Wilson has refused to allow them to be published. There are no footnote citations to sources, and while Mr. Viereck occasionally gives the authority for his statements, their value for the student of history or government is lessened greatly by inability to verify them. Careful students must also take due cognizance of the statement: "Where a conflict occurs, I shall be guided more often by psychology than by chronology" (p. xiii). Indeed, one might assert that the book is more a study of psychology than of history. This renders it none the less interesting and readable, but much less authoritative.

As already noted, the book is a running comment on events of the years from 1912 to 1920. It attempts to interpret various important historical episodes in the light of a close friendship between two men, but it adds little tangible information on disputed points. Scholars must still rely upon more carefully documented studies.

EVERETT S. BROWN.

University of Michigan.

What's the Matter with New York?; A National Problem. BY NORMAN THOMAS AND PAUL BLANSHARD. (New York: The Macmillan Company. 1932. Pp. xiv, 364.)

What's the matter with New York? This is a question being asked nowadays on all sides. The answer is supplied in the volume by Norman Thomas and Paul Blanshard, leading spirits in the work of the City Affairs Committee, one of New York's most militant and most effective civic reform bodies. The authors, admittedly socialistic in their political philosophy, picture New York as the frontier of the struggle between organized capital and the less favored masses. Using New York City as an example, they have analyzed the failures which cities generally are making in meeting their opportunities for a satisfactory collective control of living conditions. The authors do not hold up New York City in this book

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"as a sinner above other American communities. . . . There are dozens of cities, towns, and rural counties that do not need to go to school in the Wigwam in order to learn how to make politics pay politicians."

In the history of Tammany Hall, Thomas and Blanshard find from the beginning a story of predatory scandals which have been disclosed to the rank and file of the citizens only by great investigations such as the fight of the *New York Times* against Tweed in 1870, the fight of Dr. Charles H. Parkhurst and the Lexow Committee against police corruption in 1894, the exposure of Croker by the Mazet Committee in 1899, the Meyer investigation in Hylan's régime, and the Seabury investigations in Walker's administration. Of these five, only the Meyer investigation failed to bring about appreciable improvements in the city's government. But "every one of them would have succeeded except for the fact that the organized and bitter opposition of Tammany was supported by wealthy business interests" for which Tammany acted as the political broker.

This volume sets forth in a vivid style the high-lights of Judge Seabury's investigations of the magistrates courts, of the office of District Attorney Crain, and of the Walker administration of the central city government. It also summarizes the findings of the Wallstein investigation of the land condemnation racket, and completes the picture with information collected by the research staff of the City Affairs Committee and never before published. Particularly valuable as an original contribution is the chapter on "City Streets at a Bargain," which tells the sordid story of the struggle over bus franchises— a struggle in which the City Affairs Committee successfully defended the taxpayers' interests.

What's the Matter with New York? is not to be classed as a muck-raking volume, for the authors offer a constructive and practical solution of the city's difficulties. They "propose to take away from speculative business the private profit which now causes corruption in city politics." As their platform, they advocate a thoroughgoing reorganization of the city and county governments; a reform of the electoral process to give minority groups representation in the legislative body in proportion to their voting strength; a thorough overhauling of the police and courts so that justice will be administered to rich and poor alike; greater economy and efficiency in the city's social services; public ownership and operation of all public utilities; and housing for the poor as a municipal function.

As an appendix, the authors supply "A Calendar of Scandals during the Walker Administration" which will be invaluable to those who, in the years to come, record the history of the government of the City of New York from 1925 to 1932.

RUSSELL FORBES.

New York University.

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The Foundations of American Constitutionalism. By ANDREW C. MCLAUGHLIN. (New York: New York University Press. 1932. Pp. vii, 176.)

The six lectures which comprise the chapters of this little volume were delivered on the Phelps Lectureship at New York University. Their general purpose is that of outlining the constitutional background of the Federal Convention of 1787. In accordance with the purpose of the founder of the Lectureship, they emphasize the part played by New England in that process of development.

Professor McLaughlin has attempted to combine the materials of political thought and constitutional achievement—to trace, that is to say, the growth of certain principles which culminated in the present Federal Constitution. Thus he takes up, in successive chapters, the church and plantation covenants, the social compact and the constitutional convention, the origins of judicial review, and the foundations of federalism. Excepting that the colonial origins of the separation of powers are largely neglected, these are clearly the major principles of our polity. If the author adds little that is new to students of this period, he does tell his story agreeably and he does make clear the influence of certain political and constitutional ideas. In the reviewer's opinion, the discussion suffers at times from an insufficiency of factual pegs. The limits of the book would, of course, have made a comprehensive survey of constitutional experimentation impossible, but it does seem that clarity and emphasis would have been gained by more frequent reference to the institutional progress that is the substance of the principles which Professor McLaughlin discusses. This criticism applies rather to the treatment of the century (1680–1780) in which institutions were being modified and remade than to the age of beginnings.

There are a few statements which appear to be somewhat misleading. In discussing the problem of representation in Parliament in the years before 1776, the author does not distinguish between the inadequate representation of many English boroughs and the non-representation of the American colonies (p. 53). He says that no student accepts the social compact as an "objective historical reality" (p. 80), after having previously shown that there were numerous compacts in early New England which were essentially of that character. Nor is it clear that the New Englanders were, during the Revolution, more articulate in their constitutional philosophy than the people of some other states, especially New York and Virginia (p. 86). Indeed, outside of Massachusetts, there was less rather than more of articulateness in New England. It is also doubtful whether the doctrine of sovereignty as "absolute and complete authority" is now everywhere accepted (p. 135). It need hardly be said that these blemishes, if such they be, are of little importance.

BENJAMIN F. WRIGHT, JR.

Harvard University.

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The Framework of International Society. By S. H. Bailey. (New York: Longmans, Green and Company. 1932. Pp. v, 92.)

The Interdependent World and Its Problems. By Ramsay Muir. (Boston: Houghton Mifflin Company. 1933. Pp. xii, 204.)

America: World Leader or World Led? By Ernest Minor Patterson. (New York: The Century Company. 1932. Pp. 174.)

These three slender volumes offer interesting contrasts in point of view. The first two, written by Englishmen, develop the doctrine of international interdependence with cogency and persuasiveness; the third, by an American economist of note, is a vivid portrayal of the independence of the United States in a world whose economic, social, and political direction—or drift—has been steadily toward nationalistic isolation.

Mr. Bailey's outline, prepared for the Workers' Educational Association, compresses into less than ninety pages an excellent summary of the development, organization, and prospects of international society. As to its framework, he believes that "the inevitability of neighborliness" not only has created it, but remains the principal sanction for a wider unity than yet attained. The survival of the nationalist state, "with ultimate authority over the direction of those functions which it can no longer perform in isolation," is the chief obstacle to that "consciousness of universal community" which is the indispensible prerequisite for the "consummation of internationalism."

Professor Muir's study explores in further detail this principle of interdependence in the perspective of twentieth-century developments. "The conquest of distance" has made the world one; the persistence of nationalism has prevented the recognition of unity in world relations. "The perils of interdependence" lie in the possibility of war, the extension of self-determination, the growth of economic restrictions, the results of monetary collapse, the eventuality of social revolution. To overcome these perils, the first necessity is a limitation of the scope and operation of the doctrine of sovereignty which at present is the last refuge of the nationalist state. Through existing agencies and procedures, and the implementation of existing law, it should be possible to eradicate—or at least curtail—war, and so pave the way for positive coöperation through the League of Nations and other organs for the articulation of interdependence. Whether the governments of today are capable of establishing this cooperation before collapse overtakes them is a question concerning which the author has some doubts.

Professor Patterson's volume is a brief but incisive appraisal of America's internal developments and international contacts—political, social, and economic—as they have emerged from the events of the past thirty years. The two aspects of her position coincide in their impact on the decisions which must be made in the years directly ahead. Professor Pat-

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terson reminds us, with refreshing frankness and with many apposite illustrations, that national interests often do clash, especially in the economic sphere; that international rivalry is based on the opposition of powerful and self-conscious forces; that, under our present philosophy of individualism, internationalism is not inevitably the best short-run policy. And yet he, too, ends on the other note—"in such a world as that of the twentieth century, an unqualified economic nationalism cannot succeed. . . . In some way, somehow and swiftly, there must be developed . . . an international economy and a world economy in which national groups as such will be subordinated."

Without contributing new data or materials, these small volumes are useful indices of a converging parity of exchange between the observers of the present discontents in international affairs, valuable to the student for their contrasts as for their similarities.

PHILLIPS BRADLEY.

Amherst College.

The Diplomatic Protection of Americans in Mexico. By FREDERICK SHERWOOD DUNN. (New York: Columbia University Press. 1933. Pp. ix, 439.)

Mr. Dunn's primary purpose is "to present a picture of how the institution of diplomatic protection has operated" in the relations between the United States and Mexico. His book is a careful and illuminating study of the more technical aspects of this problem from the time when Mexico became independent. It will be especially valuable to the professional diplomat and to the student of international law, although the detailed exposition of the legal arguments advanced by both sides in typical cases, and the discussion of the principles applied by various joint claims commissions in deciding claims, will perhaps detract from its interest for the general reader.

The book deals primarily with the efforts of the Department of State to obtain proper police protection for Americans and their property, fair treatment for American citizens in the Mexican courts, and compensation for damages suffered during revolutionary disturbances. The latter part gives a clear and succinct picture of the disputes arising from the social revolutionary program of recent Mexican administrations, and especially of the controversies over the petroleum and the agrarian laws. While the author makes no effort to "prove that the officials of the two governments have or have not acted 'legally' in disposing of questions of diplomatic protection," he nevertheless makes clear the legal principles involved in each case and the consistency or inconsistency with which the legal position of each side has been maintained.

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The author does not pretend to present a general study of Mexican-American relations. The subject is, however, treated historically rather than topically, and the reader is given a sufficiently clear picture of the broader aspects of the relations between the two countries during each period, and of internal developments in Mexico, to permit an understanding of the bearing of protection questions upon other diplomatic problems. The revelation of the manner in which the prosecution or non-prosecution of claims was often made to serve other political purposes during the earlier history of Mexican-American relations is one of the most interesting features of the book.

Mr. Dunn's conclusions are especially interesting, even though the reader who has studied the careful and objective analysis of the problem in the body of the book may not entirely agree with them. Although the author points out that the practice of diplomatic intervention to prevent or remedy injustices to the citizens of foreign powers could not well be abolished, he nevertheless feels that "the record of the operation of diplomatic protection in the relations between the United States and Mexico has been surprisingly bad." He feels that the difficulty arises not so much from deficiencies in personnel or from the need for clarification of the existing rules of law as from the defects of international law itself, and especially from the absence of any recognized and definitely accepted procedure for the settlement of international disputes in general.

DANA G. MUNRO.

Princeton University.

The League of Nations in Theory and Practice. By C. K. WEBSTER. With some chapters on International Coöperation by Sydney Herbert (London: George Allen and Unwin, Ltd. 1933. Pp. 320.)

For a long time, the present reviewer and, to his certain knowledge, many other students and teachers of international organization have been looking for a good, if possible brief, but comprehensive and well balanced treatise on the League of Nations. Howard-Ellis promised much, but stopped short; Bassett dealt with historical and political aspects only; Myers' *Handbooks* are factual merely, while *Ten Years* is devoid of self-criticism; and Morley's work was written with one or two special problems in view. Hence the present volume was eagerly anticipated and warmly welcomed, especially in view of its major authorship.

It is both a disappointment and a relief. It does not provide all that seems desirable, but it does avoid the weaknesses and shortcomings of some of its predecessors. Its greatest disappointment lies in its insufficiency of factual information—to justify its title and our needs—although

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it is true that in his preface the author pretends only to the purpose of expressing "opinions and criticisms."

In reading the book, this reviewer at least had the experience of feeling a deep and general agreement or sympathy with the attitude of the writer and his treatment of the subject in the main, while being irritated by what seemed errors of detail at intervals of about every two pages. Thus through Chapter VIII on the Court the references to the "1929 Conference" (p. 110), "the enumeration of justiciable disputes which was devised during the war" (pp. 110–111), the nature of international law (pp. 112, 114, 115), the attitudes of American presidents and secretaries of state on the Court question (p. 115), are all less precise or accurate than they might be. Many other detailed errors might be cited: "denomination" on p. 27 should be "domination;" the "conference" organ of the League was never intended to be "executive" (pp. 28–29); the parts played by the Phillimore plan, Smuts, Wilson, and Cecil in the origins of the Covenant are badly distorted (pp. 31, 32, 36, 38); the Peace Conference had to deal with the remains of three, not four, empires (p. 40); the Fourth Committee does not vote the budget (p. 72); Spain did not withdraw from the League and return (pp. 86, 87); there is no "Information Department" in the Secretariat (p. 101); etc. The sound and constructive tone of the book as a whole is marred by the recurrence of such errors.

More serious is the representation of the Council as the dominant organ of the League and the—as it seems to the reviewer—faulty picture of the history of relations between that body and the Assembly. Surely the Assembly was intended by the framers to be the paramount organ of the League, contrary to what is here asserted (pp. 53, 64); surely the Council was stronger in the early days (1920) than it was later (1924, 1926), contrary to what is said here (pp. 64, 74). Even today, the Council and Assembly are reasonably even in prestige, while the annual report of the Secretary-General makes perfectly clear who is the nominal master. On the other hand, the excuses given (p. 74) for the way in which the Assembly has allowed certain matters to be handled by other bodies or organizations seem too charitable. Somewhat excessive deference to the ideas and attitudes of Lord Robert Cecil seem to explain in part some of these divagations.

Finally, the most serious doubt arises over the author's attitude on the question of security and sanctions. He is, speaking generally, opposed to the French thesis—which is really only the orthodox thesis of sound political science—and to any automatic, or even any general, system of guarantees of mutual protection. He quotes (with approval, presumably) the analysis by one of Lord Robert Cecil's secretaries (J. R. M. Butler) of the situation in the drafting of the Covenant (p. 55): "The real diver-

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gence lay between the adherents of the rigid, the definite, the logical, in other words the juridical, point of view and those who preferred the flexible, the indefinite, the experimental, and the diplomatic; between those who feared human nature and wished to bind the future and those who believed in human nature and were content to trust the future; between those who desired written guarantees and those who desired moral obligations only; to be cynical, between those who expected to receive under the Covenant and those who expected to give; in a word between the Continental point of view and the Anglo-Saxon."

The author later asserts on his own account (p. 157): "Thus security is still something which depends upon the attitude of states towards various problems at a particular period of time. It is submitted that it can never be anything else. The idea of automatic sanctions is unreal, since before they can be put into force men must resolve to incur risks and plan considerable enterprises. Such things cannot be done by putting a system on paper."

To such wild statements there are many replies, of which Professor Webster himself provides several. He shows (pp. 14–15) how the British wrecked the plans for European peace and order a century ago by the same attitude, even as they are wrecking the League today by sabotage. He admits (p. 157) that "the attitude of men may be affected by the promises which they and others have made to one another," and that "when these promises represent an enlightened self-interest they create confidence that they will be carried out," and much more to the same effect. To Mr. Butler, one might reply that the real divergence at Geneva, as at Paris, lies between the party of principle, responsibility, and order and the party of international opportunism, irresponsibility, and anarchy. And if it be argued that America has played false to sound principle in this matter, it must be remembered that Britain is somewhat more closely connected with Europe than she.

In any case, the book is interesting, stimulating, and challenging, though it still leaves to be performed the task of writing a work on the League that will be thoroughly satisfying.

PITMAN B. POTTER.

Institute of Higher International Studies, Geneva.

Egypt Since Cromer. BY LORD LLOYD. (London: Macmillan and Company, Ltd. 1933. Vol. I. Pp. xi, 390.)

Judging by the first of the two volumes that Lord Lloyd is writing as a sequel to *Modern Egypt*, *Egypt Since Cromer* will take place with Cromer's great work and Milner's *England in Egypt* in recording and in-

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terpreting British Egyptian policy and its results during the past fifty years. Lloyd's task, however, is less inspiring than that of his illustrious predecessors, for he depicts the twilight rather than the morn and the full day of British imperialism in the land of the Nile. Regardless, therefore, of the intrinsic literary and historical merits of this book, and they are high, it probably will never attain the place in the literature of empire that is held by Cromer's epic story of achievement.

Lord Lloyd has begun his story in 1904, three years before Cromer laid down his office in Cairo, and in this volume has carried the tale to the arrival of the Milner mission in Egypt on December 2, 1919. In his final, retrospective chapter, this Englishman, who has spent almost the whole of his active life in the British service in India and the Near East, and who was for four years (1925–29) His Majesty's high commissioner in Egypt and the Sudan, sadly admits that he has painted "upon the whole a very sombre picture of later British policy in Egypt." The basic error in the downward course which is traced in this volume as in a Greek tragedy was Britain's gradual abandonment of the one fundamental obligation that she had undertaken in all of her dependencies—the welfare of the masses of the people. If England, with clear conscience, could finally have declared that Egypt was capable of taking over and discharging that responsibility, then it was incumbent upon her to set up a sovereign and self-governing Egypt. If not, "then surely the only course consistent with self-respect was to face the fact, make declaration accordingly, and meet the local consequences, however grave those might temporarily be." But neither of these courses was in fact taken. "We clearly did not feel that Egypt was ripe for full independence. . . . But none the less we conceded her independence and tried to set up safeguards. In so doing, we threw off our fundamental responsibility, namely, the duty of safeguarding the welfare of the people and with that we clearly discarded once for all every justification for our colonial rule which could possibly be brought in our favour."

From the human and documentary sources of information that are available to the highly placed administrator, Lord Lloyd has skillfully described the policy which brought England to this position in Egypt. He has also presented vivid pictures and keen estimates of the chief actors in the Anglo-Egyptian drama, although the details of administration and of social and economic life in Egypt he has left for other writers to deal with. He has, however, significantly related Egyptian political events with the problems that are faced elsewhere by the British Empire and other nations that have responsibilities for the government of Oriental peoples. All students of imperial and world politics will find this work of high value and will eagerly await the appearance of its concluding volume; especially should it be read and pondered by those who are

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concerned with the course upon which the United States seems to be embarking in dealing with its great Oriental dependency.

RALSTON HAYDEN.

University of Michigan.

Weltkrieg ohne Waffen. Die Propaganda der Westmächte gegen Deutschland, ihre Wirkung und ihre Abwehr. By HANS THIMME. (Stuttgart and Berlin: J. G. Cotta'sche Buchhandlung Nachfolger. 1932. Pp. viii, 294.)

Utilizing the facilities of the Reichsarchiv, with which he is connected, Dr. Thimme has told how German morale broke down under the impact of the 65,595,000 leaflets sown by airplane and balloon by the Allies from 1914 through 1918. Though not confined to this aspect of the paper war, the most novel details in the monograph have to do with it. During the early years of the war, when morale was high, the best undermining operations were conducted by way of Switzerland and Holland; the object was to reach the civilian population, and eventually to pave the way for successful frontal attack on the fighting lines. As late as February, 1918, Lord Northcliffe doubted whether the time was ripe to deluge the German soldiers with the Niagara of print which finally was loosed upon them, with quite decisive results.

In estimating the effectiveness of propaganda, Dr. Thimme makes exemplary use of data about references to enemy material in letters from soldiers at the front, and about the implicit adoption by the soldiers of the arguments and key words which were circulated by the Entente. He mentions the importance of noting the change in the number taken captive by the enemy during petty operations, but offers no figures on the point for the critical months of 1918. He cites the statements which have been made by Allied writers that during 1918 German deserters often had propaganda pamphlets with them, but he has obtained no supplementary information about the numbers involved.

Some indications are offered of the relative success of punitive measures of defense against enemy propaganda. The German High Command at first attached a penalty to the mere possession of material originating with the enemy, and it also declared its intention of subjecting enemy flyers to court martial when they dropped subversive matter over the lines. The first measure was presently abandoned for a "bonus system," and the second was rarely operative. The premiums paid to soldiers for handing over enemy leaflets probably emphasized the importance of these documents in the minds of the soldiers, nourishing the suspicion that powerful interests were genuinely frightened lest their machinations for "Pan-German expansion" be disclosed.

No student of political technique will fail to be impressed by the

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judicious temper of Dr. Thimme's interpretations. His criticism of the German political and military authorities is searching, and his comments upon the cultural background of the propaganda struggle between Germany and the Western Powers are profound.

HAROLD D. LASSWELL.

University of Chicago.

Trends in Public Administration. By LEONARD D. WHITE. (New York: McGraw-Hill Book Company. 1933. Pp. x, 365.)

This excellent book is one of the first to appear in the series of monographs prepared under the direction of the President's Research Committee on Social Trends.

In more than one respect, the most important development in the field of political science in the United States since the opening of the twentieth century has been: the recognition of public administration as a distinct branch of political science; the rise of a corps of workers specializing in this field, of which the author of the work under review is one of the outstanding representatives; the creation of permanent organizations having as their sole function the consideration of problems falling in this field; the formulation by these workers and institutions of the fundamental principles that should guide political bodies in making provision for the actual conduct of their affairs; and the wide-spread efforts made by these bodies to examine into their administrative conditions, and in the light of such examination, to recast their administrative organization and to revise their methods of procedure so as to make them better conform to modern conditions. All of these several phases of what has come to be known as the modern movement for efficiency and economy in government are passed in review in this volume, and a large amount of factual data regarding them are given. To all interested in this movement, the numerous tabular statements, scattered through the text, listing, with dates of creation, the new organs of administration, or new agencies of research, will be of great value. In the aggregate, they, with the interpretative text, carry out in an effective way the purpose of the work—the statement and measurement of trends.

The value of the volume is much enhanced by the method of presentation adopted—that of grouping the specific movements about a central theme. Somewhat over one-third of the pages are embraced in Part I, "Trends in the Balance of Power," having for its purpose to bring out the various manifestations of that basic trend toward the increase of power of the central government in relation to the states and of the states in relation to their political subdivisions. One might question whether this movement is not one falling in the field of government generally rather than of public administration strictly speaking; but all readers will be

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glad that the author has given this liberal interpretation to his commission. Part II deals with "The New Management," under which heading is given an account of the movement looking to vesting in the hands of the chief executive the power and duties of a general manager and the creation of special instrumentalities, in the form of budget bureaus, central purchasing departments, central accounting offices, and the like, through which general direction, supervision, and control may be exercised more effectively. Part III traces "Trends in Public Employment," and Part IV, "Trends in the Technique of Improvement of Public Administration," the latter being devoted primarily to an account of the rise of institutions of research in public administration.

In one respect, and that an important one, the author has given a narrow construction to his assignment. He has interpreted public administration as a matter having to do solely with the executive or administrative branch of government. The other branches of government—the legislative, the judicial, and the electoral—have their problems of organization, procedure, and administration generally, the same as does the executive or administrative branch; and in at least one of them, the judicial, very important movements have become manifest during the period covered by the study. No attempt, however, has been made to trace trends in these cases.

Other trends that might have been given greater emphasis are: the tendency to transfer to administrative, or quasi-administrative, agencies work formerly performed by the courts; the growing practice on the part of the legislature of delegating rule-making and discretionary powers to administrative services; and the great development of what the lawyers call administrative law. Only the most incidental mention also is made of the movement for the short ballot as applied to administrative officers. These omissions are pointed out, not by way of criticism, for it is almost always unfair to criticize a work for not doing something it does not pretend to do, but in order that the scope of the work may be better appreciated.

The reviewer desires to close his comment with one observation. It would be a mistake to regard this work as one wholly, or even primarily, of interest only to the technical student of public administration. The trends considered have had, and are now having, a profound influence upon the whole mechanism of government, and especially the distribution of powers and responsibilities between its several parts. They are tendencies that concern the whole problem of government, and no student of political science can afford to pass this book by without giving it serious examination.

W. F. Willoughby.

Washington, D. C.

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Whitley Councils in the British Civil Service; A Study in Conciliation and Arbitration. By LEONARD D. WHITE. (Chicago: University of Chicago Press. 1933. Pp. xvii, 357.)

To his already imposing group of studies in public administration Professor White now adds another notable contribution in this first-hand appraisal of Whitleyism in the British civil service. Far from merely analyzing the structure and operation of the Whitley councils and their complementary agency, the arbitration court, the volume presents a fully-rounded, intimate picture of British staff unionism as it has interacted with Whitleyism. Other chapters of the book skillfully weave into the story the repercussions of the general strike of 1926 and its aftermath, clause 5 of the Trade Disputes and Trade Unions Act, upon the aspirations of the militant rank and file of the service. In a final section, the author's conclusions relative to the significance of the Whitley experiment to date as a method of applying "the ideas of conciliation and arbitration to a public service," are set forth with the keen insight and admirable balance one has come to expect of Professor White's scholarship.

Thirteen years of experience with Whitleyism throw into clear relief the inherent difficulties of building into an authoritarian state service an effective procedure for intra-staff collaboration in handling economic grievances and improving administrative habits. The tradition of *complete* Treasury control died hard. Somehow, Treasury responsibility had to be maintained alongside the penetration of organized staff influence upon official decision. The situation was further complicated by the sharp struggle for representation on the councils carried on by staff groups varying greatly in numerical strength, type of organization, and objectives. During the period under review, a definite conflict of interest between the lower and upper grades of the service emerged to the point, at times, of endangering the whole experiment. Another force for disunity arose from frequent clashes of personalities in staff leadership. Most troublesome of all adverse factors, from the standpoint of winning staff confidence in the potentialities of Whitleyism, was the fact that, since 1921 at any rate, the critical state of British public finance has necessitated contraction in the public payroll, thereby markedly reducing opportunities for staff advancement or for any general improvement in economic status.

Yet, despite failure at certain points, the Whitley councils, in Professor White's view, have substantial achievements to their credit. They have caused the hitherto rigid "class" barriers to promotion to crumble, if not to give way altogether; they have been largely responsible for maintaining the principle of adjusting compensation to the cost of living, at any rate for the middle and lower ranks; they have made it possible,

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in most departments, for the voice of the staff to be heard in the selection of individuals for promotion; and they have given impetus to an expanding program of staff education, professional study, and group social activity—all exceedingly important for sustained *esprit de corps*. The "most resounding breakdown" of the system occurred in the post-office, where internal dissension forced the departmental council to suspend operation for four years.

What part of these gains might have been secured by direct collective bargaining, without the Whitley councils, is uncertain. What is beyond doubt is that the Whitley system could not function at all without strong staff organization. To quote Mr. White's own words: "Whitleyism is hardening into civil service unionism, and the life and spirit of Whitleyism are being absorbed in the energy and aspirations of the unions." None the less, he concludes, "the Whitley system and the Industrial Court, as related to the civil service, deserve to rank as important contributions to state organization for which their architects may claim high credit. . . . At worst, the councils will probably remain important negotiating bodies for economic differences; at best, they may become the means for expressing the inventive and creative power of the service."

WALTER R. SHARP.

University of Wisconsin.

The Rationalization of Hungarian Public Administration. By ZOLTAN MAGYARY. (Budapest: Athenaeum. 1932. Pp. 1–21.)

Administrative Boundaries and the Rationalization of the Public Administration. By GYULA HANTOS. With an introduction by Count P. Teleki and Professor Z. Magyary. (Budapest: Athenaeum. 1932. Pp. 1–25, 56 maps.)

The recent visit of Professor Zoltan Magyary, professor of public law at the University of Budapest, director of the Hungarian Institute of Public Administration, and commissioner for the rationalization of Hungarian public administration, established new contacts for American students of public administration and again emphasized the universality of the major administrative problems with which the modern state is confronted.

As a result of the World War, Hungary lost 67 per cent of her territory and 60 per cent of her population. Instead of 63 counties, the historical basis of the national system of public administration, there remain 25, of which only eight possess the old frontiers. The succession states removed Hungarian officials, who were then placed in the administration of the diminished state, leading to the discharge of many

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permanent members of the administrative body and to loss in *esprit de corps*. Retrenchment failed to bring about the necessary balance, until in 1932 the government sought further reduction by a conscious effort to introduce the most modern techniques of rationalization. The resources of the University, the government, and the public service were organized to this end in the establishment of the Institute and the appointment of Professor Magyary as commissioner of rationalization, responsible directly to the prime minister.

Professor Magyary proceeded at once to a "survey" of the existing administrative machine, by means of a complete field study of the central and local agencies. (See *Synopsis of the Public Administration of Hungary*, by Zoltan Magyary, Budapest, 1932, published in Hungarian.) He was then able to draft a chart showing the 1931 organization in all its ramifications, a diagram reminding one strongly of the many "visual" representations of American state government worked out in the last twenty years. (See Appendix, *The Rationalization of Hungarian Public Administration*.)

The general point of view of the studies pursued by Professor Magyary is illustrated by his conviction that public administration has reached a turning point of the utmost significance, rising from dilettantism to the level of a science, and by his observation that in Hungary public administration, which had been considered before the war as an historical necessity, now is recognized as an economic problem.

The general line of reform which Professor Magyary envisages is the substitution of uniformity for variety (application of the doctrine of the one best way) under the recognized responsibility of the prime minister, not merely as *primus inter pares* within the cabinet council, but as the chief executive personally responsible for the economy and efficiency of the administrative system.

Illustrating the trend which he seeks to adapt to Hungary, Professor Magyary cites the Italian law of December 24, 1925, making the president of the council the head of the government and making other ministers responsible to him as well as to the king; the French decree of March 1, 1932, authorizing the permanent deputy prime minister to direct the *Controle des Administrations Publiques;* and the United States Bureau of the Budget.

The work of Gyula Hantos, which was directed jointly by the Institute of Public Administration and the Geographical Institute of the University of Budapest, opens up a new field of first-rate importance which is only slowly winning recognition in the United States. The key to the study is found in the following passage: "Hitherto every branch of the administration has fixed its own territorial distribution without regard for the others. In this respect, the rationalization of public administra-

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tion postulates as a *sine qua non* that the fixing of inland political boundaries shall be effected by a consensus of all parties concerned and on the basis of uniform principles."

LEONARD D. WHITE.

University of Chicago.

Public Utility Regulation. By WILLIAM E. MOSHER AND FINLA G. CRAWFORD. (New York: Harper and Brothers. 1933. Pp. xvii, 612.)

Principles of Public Utilities. By ELLIOTT JONES AND TRUMAN C. BIGHAM. (New York: The Macmillan Company. 1931. Pp. xiv, 799.)

The Public Service Commission of Maryland. By HENRY G. BURKE. (Baltimore: Johns Hopkins Press. 1933. Pp. ix, 168.)

Some Phases of Fair Value and Interstate Rates. By JAMES BARCLAY SMITH. (Baton Rouge: Louisiana State University Press. 1931. Pp. 101.)

After a long period of comparative neglect by the academic profession, public utilities have finally come into their own as subjects for scientific research and, alas, for the production of text-books. Among recent publications, Mosher and Crawford's *Public Utility Regulation* occupies a peculiar place. It is more than a text-book, because it sets itself the objective of reviewing the strength and weaknesses of public utility regulation the country over. Yet it will, no doubt, be used for text-book purposes because it attempts to cover the entire field. Jones and Bigham's *Principles of Public Utilities* is frankly "designed to meet the needs of teachers and students of public utilities in universities and colleges," but is also "to be of service to those interested in public utility problems" generally. With these concessions to commercialism, it is, perhaps, fair to comment upon the former as publicistic literature and upon the latter as a text-book for college classes. With these, Burke's *Public Service Commission of Maryland* is to be contrasted as a typical output of institutionalized research.

Little need be said regarding J. B. Smith's *Some Phases of Fair Value and Interstate Rates.* It is a brief study of the development of the "fair value" and "fair return" doctrines of the United States Supreme Court and their application to the problem of interstate railway rates. The study is vitiated by an uncritical attitude toward the Court and the Congress, and the argument is at times marred by inept facetiousness. It surveys well-trodden ground, making no contribution of importance.

The text-book dealing with "Principles" is done in the traditional analytical manner. In language and treatment, it is attuned to what is supposed to be the best "approach" to the undergraduate mind. However true this may be, the writer would prefer a more philosophical

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orientation of the materials. The need of correlating the law and economics of this subject is peculiarly urgent, and hence it seems to him that what has been called the "institutional approach" should be used in deploying the materials, in giving them organic connection, and in providing a scientific point of view. The same lack of a philosophical thread upon which to string things is to be noted in the study of "Regulation." The decision upon controversial points often comes down to a matter of opinion of the authors or to a recording of preponderant opinion. One would like to see a reference of the validity of opinion to some scientific criteria of judgment. Nevertheless, the authors are to be commended for their willingness and ability to take a stand upon crucial issues, while the authors of the text-book on "Principles" are guilty of much wavering.

It is to be regretted that the assigned space does not permit calling attention to interesting details. Both treatises give evidence of much laborious scholarship, and both afford an adequate introduction to the subject. The "Principles" contains more historical and technological material, while the "Regulation" lays emphasis upon current regulatory matter of a descriptive sort and toward the close adds a brief treatment of some special problems.

Upon the burning question of whether regulation has "broken down," as is so often asserted, the authors adopt, on the whole, a negative attitude. The man-handling of the rate-base problem by the courts is deplored, as is the slowness with which regulatory technique is adjusting itself to the changes wrought by the consolidation movement and the widespread adoption of the holding company. Yet the situation is not hopeless, if the federal government will be duly active.

In the economy of a book for the general reader or the beginning student, the time has come, it seems, when more attention should be given to public ownership. In the books under review, something would, perhaps, have been gained by expanding the discussion of this subject at the expense of what the utilities have been pleased to call "public relations." On the whole, however, the authors of both books have shown a good sense of proportion.

The Maryland Commission study is an output of the Institute of Law and part of a general study of judicial administration in that state. It was undertaken in the belief that what the field of public utility regulation "needs as a basis for useful discussion of the possibilities for improvement is a comprehensive and, so far as possible, objective and unbiased account of the activities of some of our commissions." It is avowedly incomplete and partial, "was not designed to enter the field of controversial writings and theories concerning public utilities," and was undertaken "in the spirit of the pursuit of fact and detail." Taking these limitations, into account, the writer has achieved his objective. The study will be use-

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ful to the specialist, and certain chapters are not without interest to the non-specialized reader.

We get first a rather vivid account of the genesis of the commission law, which takes one back to the days when the passage of any kind of a regulating statute was something of an achievement. The statute is criticized as a piece of repetitious and needlessly involved legal writing. But aside from form and arrangement, no attempt is made to deal critically with the substance of the law. There is also a brief, but very interesting, recital of proposed amendments which have failed of enactment. Here we get an idea of the political atmosphere in which the commission must do its work, of the limitations upon its powers, and of the duties, absurd and otherwise, which different persons consider that the commission should assume.

The most painstaking and time-consuming portion of the study is devoted to the organization and cost of maintaining the commission, to its dockets, and to the relations between it and the courts. All things considered, the Maryland commission has not been a failure. To be sure, there are plenty of shadows in the picture, but the difficulties are as often traceable to legislatures, the courts, and the intractability of the public utilities as to the shortcomings of the commission system. The study concludes with a brief review of valuation and rate cases. This portion of the analysis is less well done, and needs most to be expanded.

By way of conclusion, a few broad generalizations are "ventured." The commission is concerned chiefly with the less dramatic material involved in petty complaints and in applications for security issues, for motor vehicle permits, for extension of services, and such like routine duties. In addition, it functions as a repository of records of considerable importance. Burke believes that "much could be gained in the efficiency of regulation by curtailing or abolishing the right of appeal to the federal courts." This, he thinks, would lead to the saving of much time and money and result in a clearer placing of responsibility for the regulation of intrastate business. Of course, the "fair value" and "fair return" rule comes in for its meed of criticism. Instead, the author suggests what I have elsewhere called a "differentiated return," which takes its cue from the securities outstanding, giving to each the return indicated in the certificates and "fixing" only the return on common stock equity.

MARTIN G. GLAESER.

University of Wisconsin.

Otto von Gierke; His Political Teaching and Jurisprudence. BY SOBEI MOGI. (London: P. S. King and Son. 1932. Pp. 291.)

Mogi's entirely admirable purpose, as expressed in his Introduction, is to fill the gap in the very imperfect knowledge of Gierke's ideas pos-

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sessed by English-speaking readers and to "set out as clearly as possible Gierke's theory of the state and his teachings on the subject of political organizations" (p. 10). In this task he can hardly be said to have succeeded, although he of course labors under the language difficulty. Far from making Gierke understandable, he shows a truly amazing gift for rendering the great jurist's complex, if often profound, ideas almost unintelligible. While accusing Gierke of repetition, Mogi exhibits not only this characteristic in full measure, but also the further ones of incoherency, disjunctiveness, and an often truly appalling sentence structure.

After sketching Gierke's life in an interesting first chapter, Mogi, in two hundred deadly pages, summarizes Gierke's leading writings. These, in turn, are largely devoted to expounding the epoch-making theory of the *Genossenschaft*, or free legal association. This idea of the real legal community, or "co-organism," illuminated by vast and discriminating historical research, is the center of Gierke's social and legal theory. He conceived of social history largely in terms of the conflict between this idea and the opposing one of *Herrschaft*, or authority imposed from above, with now the one, and now the other, principle scoring a relative triumph. The later Middle Ages, with their bewildering kaleidoscope of spontaneous human associations and guilds, represent the luxuriant flowering of the *Genossenschaft* idea. And yet, Gierke believed that only in modern times has a lasting synthesis been achieved between authority or institution and liberty, by means of the modern *Genossenschaft* idea. This synthesis, as Mogi wearisomely reiterates, affords due weight to the respective claims of plurality and unity by achieving a unity in plurality. The *Genossenschaft* is itself a real, and not a fictitious, legal and ethical person, a true collective unity; the state, or highest *Genossenschaft*, is that person possessing the supreme legal authority, even though it should allow an independent sphere of activity and validity to lesser groups and to individuals with ends of their own.

Mogi ends his discussion with a critique of Gierke's ideas in terms of various modern theories of human association and group life. His meaning here is frequently a matter of guesswork, and the reader is left wondering whether any points of original philosophical or practical value have been made. In so far as any meaning is ascertainable, however, we are in substantial agreement. As an example of the opaque style, we quote the following sentence, to which many similar ones might easily be added: "The relation between law and ethics provided for the federal demarcation of that sphere of activities in which the reciprocity of law and ethics is according to him its synthesis of spiritual and ethical organism" (p. 226).

We can agree with Mogi in the theoretical value of the synthesis between pluralism and monism achieved by Gierke's concept of state

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sovereignty, effectuating a unity in plurality. We should prefer, however, to render the ambiguous term "state" by the word "society," and to regard the latter as an international, not a national, community. All law, then, springs from society. But this intangible unity does little to solve our specific problems or to guide us in our ceaseless effort to reconcile the irreconcilables. How shall we form a *concrete* synthesis between plurality and unity, between freedom and authority. Indeed, Gierke's goal, however unimpeachable, seems ever more difficult of realization in this complex, chaotic, and changing age.

MAX A. SHEPARD.

Harvard University.

A Treatise on the State. BY LEONIDAS PITAMIC. (Baltimore: J. H. Furst Company. 1933. Pp. x, 301.)

The outstanding value of this book lies in the clear and closely reasoned discussion of the nature of the state, and in the systematic presentation of legal and political phenomena that follows that discussion, rather than in any essentially new contribution to political philosophy. The purpose of the treatise is to present a "synthetic" study of the state. The author takes issue with what he considers the too great simplification of the analytical method, and aims to develop a concept that shall take cognizance not only of the character of the state as a juridical organization employing compulsory means for the enforcement of its rules, but also of its human character as an organization of men; as well as of the fact that in making regulations for its members, it is itself subject always to those higher regulative principles which alone make community life possible, and which it, the state, will therefore ignore at its peril. The influence of present-day doctrines of the higher law is here evident. Among the above-mentioned necessary elements in the "composite" notion of the state, its distinguishing quality is found in its employment of forceful coercion. This use of coercion, however, does not render the state sovereign, for it is still subject to international law; though the author acknowledges that the enforcement of international law is still largely in the self-help stage. The reviewer does not find convincing in all particulars the reasoning followed in these pages in the attempt to establish the fully juridical character of international law.

The remainder of the book is an exhaustive exposition of constitutional and legal types, and of political forms, each one described and interpreted as a manifestation of the state in its essential, that is, its juridical character—a method of presentation which imparts to these sections, and to the work as a whole, a degree of unity of idea and of form seldom achieved in a study of this kind. The treatise is marked throughout by freshness and directness of attack, by freedom from stereotyped

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notions, and by an unusual degree of detachment and objectivity. For all of these reasons, it is a useful addition to the literature of the subject

ELLEN DEBORAH ELLIS.

Mount Holyoke College.

Citizens' Organizations and the Civic Training of Youth. By BESSIE LOUISE PIERCE. (New York: Charles Scribner's Sons. 1933. Pp. xiii, 428.)

This book constitutes Part III of the Report of the Commission on the Social Studies of the American Historical Association. In conformity with the general aim of the Commission to study "every important element affecting school instruction in the social sciences," Miss Pierce's contribution presents a unique and enlightening study of that phase of public opinion dealing with the interest and efforts of many organized groups in the civic training of youth. It sets forth the policies and plans of these associations in the period since the World War, but does not seek to establish the validity of their claims upon the schools. Attention has been directed chiefly to the education and civic theories of patriotic, military, peace, fraternal, religious, racial, business, labor, prohibition, and anti-prohibition groups, and to movements of youth such as Scouts and socialist and communist youth groups. A very extensive bibliography of the group-literature consulted in connection with the investigation is appended.

Miss Pierce has long been a student of civic attitudes and is peculiarly fitted by training and experience to undertake an investigation of this nature. The civic attitudes of the young are the product of many influences; the teacher, the text-book, and the demands of powerful organizations of private citizens all make a deliberate contribution to that sentiment which is commonly called patriotic. The teacher and the text-book have received wide attention, but the technique of private groups offers a virgin field of investigation in which Miss Pierce has worked with skill and accuracy. The conclusion is reached that, on the whole, however widely the various organizations may differ as to aim, they are one in the belief that the common schools are the best channels for the inculcation of those civic attitudes which tend toward a "perfectibility" of citizenship. In their effort to direct and control many activities which are civic in character and primarily concerned with the education of youth, they have used the schools to carry forward their special objectives, and in some cases have exerted pressure upon the general public and upon legislative bodies to enforce conformity with their ideas in the teaching of the social sciences. The book is almost encyclopedic in scope, and is particularly significant as a further chapter in the scientific study of civic training.

ELIZABETH A. WEBER.

Hunter College.

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BRIEFER NOTICES

AMERICAN NATIONAL GOVERNMENT AND POLITICS

The general thesis of Charles Warren's *Congress as Santa Claus* (Charlottesville, Va., Michie Press, pp. vi, 151), consisting of lectures delivered at the University of Virginia in 1932 on the William H. White Foundation, is that the federal government's power to raise and spend revenue is precisely co-extensive with its other powers. Therefore federal subsidies to the states and federal payments to individuals for a great variety of miscellaneous purposes are unconstitutional. True, the Supreme Court is not likely to take any such stand, but this unfortunate fact imposes "upon the Congress and upon the President, and upon the whole people of the United States, a grave responsibility to preserve the boundaries between general public and local private welfare. Public opinion must be educated to curb the tendency to plunge the national government into action unrelated to its proper national powers" (p. 143). In well chosen words, the author exposes the sophistry of those who fit the Constitution to their own purposes, interpreting it to mean what they think it ought to mean. Yet we discover before many pages that the correct interpretation of the Constitution, as revealed by Mr. Warren, is by some strange coincidence the very interpretation that will guide Congress along the lines of proper policy—also as revealed by Mr. Warren. Federal grants and donations, whose unconstitutionality is demonstrated by page after page of quotations (though not from court decisions), are pictured as the modern equivalent of the indiscriminate bounties that led to the fall of the proud and prosperous Roman Empire. (The possibility that malaria had something to do with the fall of Rome is apparently overlooked.) The author has scarcely met the requirement of the terms of the White Foundation that "some fresh or unfamiliar aspect of his subject" shall be presented, but he has packed many interesting facts and a great variety of relevant quotations within the covers of a very small volume. His material is well selected. His style is clear and direct. It would seem, therefore, that this volume should be an excellent source-book for after-dinner speakers who wish to horrify their audiences with oft-told tales of raids upon the federal treasury.—AUSTIN F. MACDONALD.

In his *Degenerate Democracy* (Thomas Y. Crowell and Company, pp. xiii, 143), Mr. Henry S. McKee writes of three primary problems demanding the immediate attention of the people of the United States. The first is an incompetent governmental system, unsuited to its task, barely surviving the present crisis, and certain not to survive the next crisis unless altered and strengthened. To solve this problem, he proposes the establishment of responsible government of the parliamentary type in

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place of the present congressional committee system, thereby making government interesting and dramatic. The second is an economic system which, despite its achievements, is developing within itself those forces which will destroy it, and which is losing its self-regulating quality. The solution of this problem is to be had with the aid of the proposed competent and responsible government, and consists in setting up an effective method of internal self-regulation within the economic system. The author suggests that aid so derived and a government so constituted would invite no just fear of its influence on the economic system. Third, periodic unemployment must be recognized as a social evil, the causes of which must be permanently eradicated. The way out lies in the state fostering wise and prudent management of domestic life by developing through the schools the art of domestic finance on the basis of the habit of saving. This will be the true solution of the relief problem, and will remove the terror of unemployment. Under no circumstances, however, are the principles of security of private property, the sanctity and enforceability of contracts, and the liberty of every one to engage in any chosen lawful occupation to be abridged; for upon these principles and the incentives they generate rest our civilization. Except for the fact that the author has been stimulated to reflection upon the problems of our time, it is depressing to read a book so naïve and over-simplified in its analysis. The omnipotence of thought in diagnosis is a convenient recourse in the absence of adequate information. To an amateur, it does not occur that the "success" of parliamentary democracy may have been so conditioned by a period of progress, expansion, and prosperity, even in Britain, that a more mature student cannot acquiesce in the assumption that it will survive problems of conflict as fundamental as those implied and invited in Mr. McKee's economic system and the *credo* upon which it is predicated. Nor will his pious admonition in behalf of domestic thrift be convincing to the millions whose exemplary practices in this respect have been so rudely nullified by the operation of these so-called present bases of civilization. Admitting that diagnosis has become one of the major sports of the present crisis and offers alluring opportunity for exercise to all, the prerogative of serious analysis belongs more completely than ever to specialists who can view "fundamental principles" as working hypotheses only, and who employ them as tools of inquiry in the hope of discovering more satisfactory adjustments in the realm of social experience.—Russell M. Story.

With the boldness of youth, James H. R. Cromwell, in *The Voice of Young America* (Charles Scribner's Sons, pp. x, 191) sets out to "compile, in sequence, a synopsis of the outstanding evils and errors which afflict our country." The catalogue is a lengthy and depressing one; and lest its

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full effect be lost, we are given a list of thirty-four "reforms" which, if adopted, would contribute to rescuing the land from the "dense fog of ignorance, tradition, hypocrisy, and evasion through which our elders are blindly stumbling toward chaos and destruction." Ranging from the adoption of a parliamentary form of government and abolition of an elective judiciary to federal control of the sale of fire-arms and modification of statutes impeding the progress of birth control, the measures urged are in nearly all cases of such nature that, in theory at least, a good deal can be said for them. Furthermore, despite occasional naïveté or extravagance, the author puts his arguments well. As a frank commentary on our political and economic order by an intelligent young American who, since the crash of 1929, has been trying to find out what it is all about, the book has some genuine significance.

In issuing a fifth edition of *American Presidents* (Thomas Y. Crowell Company, pp. xii, 318), by the late Thomas F. Moran, opportunity has been taken by Louis M. Sears, under whose auspices the volume has been prepared for the press, to add some material on Calvin Coolidge and a limited amount on Herbert Hoover and Franklin D. Roosevelt. The additions are so scant, however, as to increase the value of the book but slightly.

AMERICAN STATE AND LOCAL GOVERNMENT

In *The Industrial Commission of Wisconsin* (University of Wisconsin Studies in the Social Sciences, pp. 324), A. J. Altmeyer, secretary of the commission, presents a history and analysis of the body's work which will be of interest to all students of public administration and of the administration of labor laws. The Wisconsin commission was the first of such agencies, and the present study reviews its activities in the field of workmen's compensation, factory inspection, safety and sanitary regulations, the labor of women and children, the regulation of private employment offices, and the administration of public offices, apprenticeship, etc. The creation of such a commission in place of a single-headed department has often been criticized on the ground that while it was better for judicial functions, it was inferior for administrative work. Such truth as there was in this objection has largely been met by the creation of specialized departments under subordinates of the commission, and by the work of the secretary of the commission as the chief administrative officer. Of the many detailed problems discussed by the author, one of the most interesting is that of the regulation of private profit-making employment offices. The Wisconsin statute provides that licenses for such offices shall not be granted unless it can be shown to the satisfaction of the commission that there is need for them. The application of this principle, which is

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similar to that followed in the field of public utilities, has resulted in a decrease in the number of such offices from 39 to 10; and it is a procedure which deserves to be copied by other states. In conclusion, the author sensibly stresses the necessity for outside stimulus and scrutiny as a corrective for bureaucratic tendencies which may develop under public administration. The American public cannot content itself with setting up administrative bodies and then going off with the expectation that they will run perfectly.—PAUL H. DOUGLAS.

Planning for Residential Districts (pp. 227), *Home Finance and Taxation* (pp. 278), and *Housing Objectives and Programs* (pp. 345) are Volumes I, II, and XI of the report of the President's Conference on Home Building and Home Ownership, each edited by John M. Gries and James Ford. The first volume contains the reports of the committees on city planning and zoning, subdivision layout, utilities for homes, and landscape planning and planting. It presents an excellent summary of advanced planning principles and practices, as might be expected from a committee made up of men like Adams, Bartholomew, Nolan, and Hubbard, and emphasizes throughout the interrelation of home, community, and city planning. Housing has been much neglected to date in city planning, although it is largely home planning that gives stability and permanence to residential districts. Neighborhood units are dealt with at length, not only suburban units but in-town units, the causes and remedies of blighted areas, and the importance of suburban layouts. The reports contain most interesting data on costs of utilities, improvements, and the effect of subdivision design on the cost of homes. Of particular interest also are the diagrams of comparative types of residential development and subdivision layouts. Volume II deals with two most timely subjects—home finance and taxation—and contains the reports of the committees on those subjects. As President Hoover pointed out, financing the home owner is the most backward phase of the entire home situation. In addition to the summaries, findings, and recommendations of the committee on the general mortgage structure, the legal aspects of mortgages, and the relation of the community to successful home financing, a vast amount of information is presented in appendices covering home finance practices and agencies, first and second mortgage problems, foreclosure laws, the costs of foreclosure, and the costs of securing mortgage loans. The second half of the volume contains the report on taxation, covering the property tax, remedial measures, reductions in public expenditures, and the effect of the federal income tax, special mortgage taxes, and other sources of double taxation on the home. This portion of the report is supplemented with numerous appendices and exhibits presenting data on the shifting of taxes, tax delinquency, land value taxes, and related sub-

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jects. The third volume contains highly interesting and useful reports of the committees on technological developments, standards and objectives, organization programs, education, and research, and, in addition, the addresses at the closing sessions of the conference.—FORD H. MACGREGOR.

Further Contributions to the Prestige Value of Public Employment. (University of Chicago Press, pp. xvii, 89), by Leonard D. White, reports the results of a study which represented a continuation on a national scale of an experiment begun in Chicago in 1927 designed to ascertain public attitudes toward government employment—attitudes recognized as constituting an important determinant in the morale of government employees. The methodology employed is similar to that used in the earlier investigation. The schedule was modified in certain particulars, notably by the addition of tests designed to secure evidence on the relative standing of city, state, and federal positions. A total of 7,168 persons, distributed among ten cities ranging geographically from New York to California, were interviewed. Based upon responses to ten paired occupations, the national prestige index of municipal employment was −10.20 as contrasted with an index of −14.06 in Chicago. Responses to other parts of the questionnaire, however, do not substantiate this apparently favorable attitude. In general, the prestige indexes of various groups differentiated by sex, age, education, occupation, and nationality were similar to those found in Chicago. As anticipated, federal employment rated highest in prestige, state employment second, and city employment last. The book closes with a suggestive treatment of the nature and uses of prestige. Despite the inadequacy of the sample and the laborious method employed, the author and his collaborators have succeeded in confirming the essential results obtained in the initial experiment, and have by their pioneering indicated the desirability of adapting improved methods of measuring opinion to this field as a valuable aid in the improvement of public personnel management.—LLOYD M. SHORT.

The depression has subjected local governments in this country to a real test. Some are weathering the storm in a more satisfactory manner than others. There has been much interest in the way in which city manager cities are meeting the problems presented by the depression. Will the city manager plan, as a result of the way in which the managers have met the crisis, receive even higher rating than it has had in the past? Or will it have been tried and found wanting? The *City Manager Yearbook* (International City Managers' Association, pp. xiii, 356), edited by Clarence E. Ridley and Orin F. Nolting, gives some indication of what the manager cities are doing, the problems about which the man-

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agers are thinking, and their attitude on these questions. The book is divided into four parts: (1) A résumé of the more important developments in the various fields of municipal administration in 1932. Though very brief (an average of about two pages each), these summaries present the high spots in the developments of the past year. (2) Conference proceedings. This fills 237 of the 356 pages of the book. It is interesting to note the large number of papers presented by persons outside the Association. The managers seem to be interested in knowing what other persons are thinking and in hearing what they have to offer. (3) Association business. (4) A city manager directory. The manager plan marches on, ten cities and one county adopting it in 1932. The *Yearbook* of the Association is keeping step with this progress, continuing to improve in quality.—CHARLES M. KNEIER.

The 300th anniversary of the settlement of Boston furnished the incentive for the publication of *Fifty Years of Boston* (pp. 799), compiled by the subcommittee on memorial history of the Boston Tercentenary Committee, with Elisabeth M. Herlihy as chairman and editor. In a very real sense, the work is a continuation—and a worthy one—of the monumental *Memorial History of Boston* edited by Justin Winsor and published in commemoration of the 250th anniversary of the city's founding. From the editorial foreword to the concluding "chronicle of important and interesting events," there is hardly a dull page in the book; and though parts will appeal chiefly to Bostonians and other parts mainly to persons concerned with American literature, music, religion, and art, students of municipal government will be intrigued by Mr. Frederic H. Fay's chapter on "The Planning of a City," Dean A. C. Hanford's history and description of the city government, Professor Joseph H. Beale's treatment of "The City and the State," and a number of other features. According to Dean Hanford, the chief developments in the government of the city during the half-century were the extension of administrative functions to keep pace with populational and other changes; the readjustment of political and administrative machinery to meet the problems entailed; the various attempts to bring about a larger concentration of responsibility for the conduct of municipal affairs in the hands of the mayor; the attempt to separate municipal and national politics; and the increase in the scope of state control. All of these readjustments and tendencies are described in a clear and illuminating manner.—F. A. O.

Volume X of *A History of American Life*, edited by Arthur M. Schlesinger and Dixon R. Fox, is from the pen of Professor Schlesinger and bears the intriguing title *The Rise of the City, 1878–1898* (The Macmillan Company, pp. xvi, 494). Running through a most readable account of the social, economic, and intellectual life of the United States during

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the last quarter of the nineteenth century is a sweeping but sound interpretation of the changes evidenced and produced by the growth of urban populations. To be sure, there is not much treatment of municipal government and politics as such—decidedly less than the title promises, and not as much as the general plan of the volume would seem to require. Even Tammany comes in for only rather casual mention. There is really only one chapter, out of thirteen, that deals systematically with political matters at all, and that principally with national politics. No student of the backgrounds of present-day municipal government in this country can, however, afford to ignore the volume, because perhaps nowhere else are the tone, temper, and tendencies of American society in our first great era of city-building so discriminatingly and lucidly portrayed.

As indicated in the foreword, Columbus Andrews' *Administrative County Government in South Carolina*, addendum by Marion A. Wright (University of North Carolina Press, pp. ix, 245), is based upon intensive studies in six representative counties, together with material contained in official documents of the state. The book is divided into three parts dealing with: (1) the development of county government in the state, (2) county government and administration, and (3) constructive suggestions. The description of county government indicates that there is remarkable complexity and variety in detail—a chaotic condition characterized by lack of headship and of uniformity in structure. County consolidation, the reorganization of county government to abolish overlapping governmental organizations, centralization of authority within the county, and increased state supervision, especially in fiscal matters, are among the suggestions made for improving conditions.—CHARLES M. KNEIER.

In a mimeographed report entitled *Financial Aspects of New York City's Pension Systems*—a product of the investigations of the Citizens Budget Commission—Paul Studenski recommends alterations in New York City's twelve pension systems, covering an active membership of 130,000 persons, which would secure an annual saving of about $5,000,000. Consolidation of pension administration is urged to eliminate all but two funds, one for city employees and one for teachers. Seventeen specific recommendations are intended to eliminate various inequalities which have gradually developed. The author emphasizes the importance of safeguards to prevent repetition of unsound pension legislation, advocating that no further pension legislation be enacted without a resolution from the Board of Estimate and Apportionment stating clearly its approval or disapproval, such resolution being based on an actuarial estimate of probable costs. The report contains valuable tabular material covering the period 1920–31.—LEONARD D. WHITE.

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FOREIGN GOVERNMENT AND POLITICS

English Public Finance (The Century Company, pp. xviii, 478), by Frederick C. Dietz, is rather a study of general financial policy than a precise history of English finance during the years indicated. To write the latter would require an investigation of all sources of income and expenditure year by year, with attention to the annual balance and to the effect of any shortage upon governmental projects of the moment. The task would be laborious if undertaken for as long a period as is here examined. Especially intricate would be the story of loans contracted and the incorporation of such as remained unpaid in the swelling figures of the national debt. All this Professor Dietz has not attempted. His summary of the finances of three sovereigns is based principally upon the fairly frequent surveys of the situation made by the Lord Treasurer or other responsible official and for the most part preserved in the *State Papers* at the Public Record Office. These sources have yielded a rich harvest, and the material derived from them supplies an admirable introduction to the problems of the period. The author's arrangement, however, may not commend itself to all readers; for, while the first half of his volume consists of a running narrative of financial expedients resorted to by the government to support numerous military and other undertakings, the description of the different sources of revenue follows this in topical treatment. Considerable might be said for putting the descriptions first and then explaining to what extent the various items of income were available from period to period. These comments apart, the volume is extensively and lucidly revealing. Especially valuable is the account of crown estates and the sale of some of them in emergencies; of the farming of the customs; of the large loans advanced to the Dutch and the slow repayment of them; of the persistent and heavy cost of Ireland under Elizabeth (over £4,000,000); of the acquisition of a surplus of £300,000 by 1584, transformed into a deficit of £422,000 at Elizabeth's death; of the failure of James, despite years of peace, to prevent the growth of the debt to £800,000 by 1618; of the disastrous financial consequences of the feeble participation by England in the Thirty Years War. Professor Dietz is inclined to cast part of the responsibility for the last fiasco upon Parliament, that body being eager for a war to protect Protestantism on the Continent, but hoping to wage it in a cheap or even profitable way through attacks upon Spanish trade. He differs from Gardiner as to the free gift and the forced loan of 1626, thinking that "no very high constitutional principles can be found inherent in the attitude of the counties." They were concerned rather with shifting the burden from certain shoulders to others. The discussion of so many fundamental issues, supported by fresh matter from the sources, makes

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the volume one which no student of the period can neglect.—HOWARD L. GRAY.

A bibliographical event of first-rate importance was the bringing out recently of a *List of the Serial Publications of Foreign Governments, 1815–1931* (H. W. Wilson Company, pp. 720), sponsored by the American Council of Learned Societies, the American Library Association, and the National Research Council, and edited by Miss Winifred Gregory. Any one who has attempted to work with government publications of even a single country, and over only a brief period, knows something of the difficulties involved—not only the faulty and often inaccurate character of the documents themselves, but the uncertainty as to precisely what serials have been issued, what periods they cover, how they can be obtained, and where complete files are to be found. For every person engaged in research in modern history, comparative law, and related subjects, the new *List* will be indispensable. Aided by liberal grants from two of the Foundations, advised by committees of the three sponsoring organizations, and working both in America and in Europe, Miss Gregory and her assistants left no device untried to impart to the bibliography the highest degree of completeness and accuracy; and though the editor concedes that there must be many omissions—especially in respect to the holdings of individual libraries—most workers will probably find the new tool very adequate for their purposes. Publications are listed by country, with entries arranged alphabetically under the department, bureau, or other agency responsible for their issuance; and in each instance all essential information—exact title, period covered, gaps in publication if any, indication of contents if necessary, and American libraries in which sets or copies may be found—is supplied in the remarkably compact form made possible by use of the system of abbrevations and symbols previously employed in the American Library Association's well-known Union List of Serial Publications. Probably no more economical, yet convenient, method of presenting so enormous a mass of data could have been found. Most people will be surprised to find the list for Russia lengthier than any other, filling more than 125 triple-column pages.—F. A. O.

Those familiar with Professor Alfredo Colmo's previous works, especially the critical analysis presented in *Los Paises de la America Latina*, will not be disappointed in his latest volume, *La Revolucion en la America Latina* (Buenos Aires, Gleizer, pp. 318). The book is to a degree a continuation of the earlier study, explaining the wave of revolutions which has spread over Latin America, starting where outsiders might least expect it—in Argentina, which had been relatively stable since 1890. The greater part of the book is devoted to the circumstances of the revolt in Argentina itself, in which the author finds that principles were used as

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pretexts and that both a defensible political foundation for the movement to overthrow the government and widespread popular support were lacking. The organization of the new government was by unconstitutional means; the "reforms" sponsored had no real relation to abuses which cried for attention. The author then reviews other Latin American revolutions—those of genuine popular character and the "typical" barrack revolts, the latter almost without exception ephemeral in their accomplishments. That which occurred in Argentina in 1930 was of the latter type, the more to be regretted since that republic is not militarist in tradition and had in recent decades made so favorable a record in advance toward government resting on wide popular support.—CHESTER LLOYD JONES.

Students of public affairs, in their endeavor to discover the principles underlying Australia's efforts to cope with the current economic dislocation, will welcome the documentary evidence derived from six state-federal ministerial conferences which met between February, 1931, and July, 1932. The *Proceedings and Decisions of the Conferences of Commonwealth and State Ministers* and the *Records of the Conferences of Commonwealth and State Ministers, Feb. 1931–July, 1932* (printed and published for the Government of the Commonwealth of Australia by H. J. Green, Government Printer, Canberra) present data relative to the Australian three-year plan of economic rehabilitation, better known as the Premiers' Plan of 1931. Among other significant materials contained therein are reports submitted by the Australian Loan Council, the specially constituted Committee of Under-Treasurers and Economists, state and federal transport as well as budget authorities. This series of *Proceedings* and *Records* provides a dynamic account of the manner in which Australian governmental policies and practices have been shaped in order commendably to meet domestic as well as world economic conditions, and at the same time the series unfolds the step-by-step progress made in the realm of state-federal relations as they pertain to the features of the Premiers' Plan.—KENNETH O. WARNER.

"Perhaps the political urge is so essentially federal, tends in other words so universally to seek the ends of smaller units by coöperation with others in a bigger one, that political and federal may almost appear as synonymous terms." Under this conviction, Professor D. G. Karve has written *Federations: A Study in Comparative Politics* (Oxford University Press, pp. x, 318). Intended as a manual of federal constitutions, treated historically and comparatively, it is clear and concise. Brief descriptions of federal experiments in ancient times, in South America, Russia, and Asia, are followed by detailed examination of Switzerland, the United States, Germany, Canada, and Australia. Successive chapters summarize and

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analyze federal development, the executive, legislature, judiciary, citizenship rights, finance, and constitutional amendment. Documentary constitutions furnish the material; the working constitution is, confessedly, neglected. Inevitable, therefore, are numerous inaccuracies and *lacunæ*. This is notably so in the sections on American practice. The only American treatises cited in the select bibliography are the *Federalist*, Bryce, Burgess, and Burdick. A final chapter presents sensible comment upon the bearing on federalism of the problems of the second chamber, parliamentary government, functional representation, and judicial structure.—A. F. SAUNDERS.

The purpose of *Political India, 1832–1932* (Oxford University Press, pp. 324) is declared to be to present a comprehensive survey of British rule in India during the last hundred years. The work is a compilation consisting of twenty papers by twenty Britishers, most of whom have at some time or other been office-holders in India. In their discussions of Indian political questions, the contributors have virtually left out economic problems, and devoted themselves almost exclusively to "minority communities" and party squabbles. The book is an *apologia* for the British régime in India. Massacres are referred to as only "incidents;" the nonviolent passive resistance movement is termed "special methods of political controversy;" and Mahatma Gandhi is described as a man of "fanatical convictions." The manifest prejudice of the authors and their lack of objectivity detract from whatever of value there is in the book.—SUDHINDRA BOSE.

The revised edition of Leo Epstein's *Studienausgabe der Verfassungsgesetze der Tschechoslowakischen Republik* (second, revised edition, Gebrüder Stiepel, Reichenberg, Czechoslovakia, pp. 936) is the best collection of constitutional laws of the republic of Czechoslovakia; not even Czechoslovak scholarship can boast of a superior work in the Czech language. The contents follow the divisions of the Czechoslovak constitution. The texts of the laws are translated into German and amplified by excerpts from parliamentary documents, which serve as explanations of the laws. In addition, there are valuable comments by the author, who evidently took as his model the famous treatise of Bernatzik on the Austrian constitution, *Die österreichische Verfassungsgesetze mit Erläuterungen* (Wien, 1911). This is a valuable book, and one not likely to be superseded in its field.—JOSEPH S. ROUČEK.

A study of the papers of Lord Noel-Buxton has provided Mr. T. P. Conwell-Evans with the basis for his study, *Foreign Policy from a Back Bench, 1904–1918* (Oxford University Press, pp. xv, 180). The book is a concise and graphic record of the difficulties encountered before and during the World War by persons and groups in Parliament who sought

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to overcome institutional barriers and exert a moderating influence upon the policies which were being followed by the Foreign Office. Lord Noel-Buxton's struggle as here portrayed is another valuable evidence of the capricious and irresponsible fashion in which, even in a democratic state, pre-war foreign affairs were conducted. The sections devoted to Near Eastern affairs are particularly valuable.—GRAYSON L. KIRK.

Unrest during a third year of the world-wide depression helped produce two revolutions, twenty general elections, and thirty changes of cabinets in 1932. These and other political events are duly recorded in *Political Handbook of the World; Parliaments, Parties, and the Press as of January 1, 1933* (Council on Foreign Relations, pp. 202), edited by Walter H. Mallory. Published annually for several years, the *Handbook* has taken its place as an indispensable work of reference. The features of principal value are the lists, by countries, of political parties and party leaders, and of newspapers, with political affiliation in each case and name of proprietor or editor.

INTERNATIONAL LAW AND RELATIONS

Considering that the "actual structure of international law has been built up by the political action of states," Herbert Arthur Smith, in *Great Britain and the Law of Nations* (P. S. King and Son, pp. xiii, 416), aims "to indicate the bricks and the mortar of this structure, in so far as they have been contributed by the government of Great Britain." With this purpose in view, an extensive examination was made of the voluminous papers of the Public Record Office—materials which hitherto have received little attention from the jurist, being left to the historian. The resulting volume is to initiate a series intended to supply for Great Britain a digest of readily available source material relative to state practice such as is found in our published opinions of the Attorneys-General and in Judge Moore's *Digest of International Law*. Unlike the latter, however, the interpretation of international law by municipal courts is not included. The subject-matter is classified in chapters relating to the nature of international law and of states, of recognition, and of state succession. In each chapter, the material is conveniently arranged in chronological order. The recognition of states runs from France in 1792 to Soviet Russia in 1917–29. There might be some question as to the justification for dismissing the action taken in usual cases as "practically a matter of routine" calling for no comment, in order to devote the entire space to those cases which have "presented some particular difficulty and thereby compelled the consideration of general principles." If the difficult problem tests the law, may we not ask why the more usual occurrence does not indicate the safest guide to what the law of nations really is? Another

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ground for slight criticism might be that the author, upon the very threshold of his supposedly objective presentation, makes the assertion that "there is no such thing as a 'right' to recognition, and every state is entitled to grant or to withhold the recognition, whether of a new state or of a new government, upon grounds of policy which must necessarily be determined by itself" (p. 77). Is it not preferable to allow the reader to deduce his own conclusions from the evidence supplied? To the student of international law and diplomacy, the publication affords delightful reading, which should serve to whet his appetite for a further examination of the original documents here given in brief summary only.—ELLERY C. STOWELL.

The intriguing title of Edwin D. Schoonmaker's volume, *Our Genial Enemy: France* (Ray Long and Richard R. Smith, pp. xii, 238), requires elucidation. By "genial" he means France "as the last stand of the classical world," the France of *bon goût* and civilized moderation in the art of living. With that France his volume, except by way of its preface and final chapter, is not concerned. It is upon contemporary "imperial" France, the unregenerate "enemy" of other nations and the backward peoples, that he boldly proceeds to expatiate in overdrawn terms for two hundred pages. His scathing indictment of French policy leaves not a single item untouched: the traditional basis of Franco-American friendship is branded as "sentimental;" the acquisition of French financial hegemony is laid to a diabolical manipulation of the power of credit for the sake of political expediency; the French stand on reparations and war debts is roundly condemned as both selfish and near-sighted; the French colonial empire is characterized as "feudal" and full of peril for the native inhabitants; France is heartily reproved for using colonial troops in Europe (though there is no reference to similar practices by the British!); a "peculiar and sinister" relation between France and Japan in reference to Manchuria is asserted; and as a final triumph the absorption of a twelfth of the French national income on armaments is contrasted with the use of only one per cent of our own for that purpose. To Mr. Schoonmaker, "the outstanding characteristic of French foreign policy is that it either undertakes more than it can accomplish, or, having undertaken what it might accomplish, goes about it in the wrong way." Monarchy, empire, and republic succeed one another, but the quest for material glory and national prestige continues unaltered! It is too bad that the author should have thrown away such an excellent opportunity to give us an objectively critical analysis of French policy, in order that he might have the pleasure of venting his spleen. Yet it must be admitted that his book makes interesting reading and that much of the evidence he adduces is irrefutable. The trouble is that he has selected his facts

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exclusively to prove that France is *la bête noire* in the present international scene. Some of his assertions, moreover, are either unsupported or inaccurate. The most amusing thing about the book, perhaps, is the contention, at the very end, that America and France are naturally "complementary," the former standing for "humanity" and the other, when her true self appears, for "civilization." Thus, in spite of everything, the two nations need each other and should work together!—WALTER R. SHARP.

War Debts and World Prosperity (The Century Company, pp. xx, 498), by Harold G. Moulton and Leo Pasvolsky, has the distinction of being the only comprehensive study of war debts and reparations. It is significant, of course, because of its timeliness, appearing as it does on the eve of the World Economic Conference, when another chapter in the history of these post-war inter-governmental debts has been completed. It is more significant because of its thoroughness in point of scholarship. After a brief introduction on the principles involved in international debt payments, there follow two distinct parts—one giving the story of the inter-allied debts, including intra-European settlements; the second presenting the corresponding story of reparations, and again including not only German reparations but also those of the lesser states. A fourth part gives a complete but concise review of the breakdown of war debts and reparations payments, the story being brought down through the Lausanne settlement of July, 1932. The final group of chapters discusses such economic implications of the debt problem as its relation to trade, private loans, and general economic reconstruction. The appendix, in which are collected the relevant agreements and schedules of payments, is in itself a valuable document. The general approach and point of view in the book is that with which all students of the question have become familiar through the long series of studies of the Brookings Institution, beginning with that of Moulton and McGuire on *Germany's Capacity to Pay*. Without entering into the controversy of the past ten years between economists over the possibilities of international debt payments, one cannot help feeling that the developments of the last year constitute a practical vindication of the viewpoint which underlies this book, and which has been consistently defended by Dr. Moulton since he first wrote on the subject.—WALTER H. C. LAVES.

The Eighteenth Amendment and the National Prohibition Law of October 28, 1919, raised a number of domestic issues sufficient to dwarf the international problems incident to their operation. Nevertheless, it was early recognized that successful enforcement of the Volstead Act depended in large measure upon gratuitous coöperation from foreign states, especially Great Britain. Not only was our Department of State

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compelled to seek the British government's active aid in the regulation of a trade perfectly legitimate under British law, but the extent to which we claimed a right to interfere with foreign vessels on the high seas was contrary to the views of international law and custom which we had previously held. The Cunard decision (262 U.S. 100) provided the Department of State with a *quid pro quo* which, together with the conciliatory attitude of Great Britain, made possible a dozen "liquor treaties." In his *The Eighteenth Amendment and Our Foreign Relations* (Thomas Y. Crowell Company, pp. 160), Robert L. Jones briefly develops in a simplified fashion, here and there somewhat racy, the issues of foreign policy and international law raised by our "domestic" legislation. The foreign offices of Great Britain, Canada, France, Cuba, Mexico, and Japan were most concerned. In one of the nine chapters, the *I'm Alone* case is summarized. The book is based very largely on Department of State *Press Releases;* occasionally the source material is surprising, e.g, the *Literary Digest* supplies more than one footnote. Three typical "liquor treaties" constitute an appendix. If this work is to be the final study on the subject, it will be because impending events suggest a disposition of the source of the problems.—A. E. HINDMARSH.

Manchoukuo, whatever the world may think about it, is "here to stay;" she will be a "better administered and happier country than China;" Geneva "will continue to discuss her and America will reassert the non-recognition doctrine;" it "would be as useless for her [Manchoukuo] to press for recognition at this moment as it is futile for Geneva to waste its valuable time in discussing the question;" but the Powers "do not and cannot ignore her"—indeed are already dealing with her through numerous consuls who are looking after their interests within her borders. Such are the assurances given us by that assiduous exponent of Japanese viewpoints in this country, K. K. Kawakami, in his latest book, *Manchoukuo, Child of Conflict* (The Macmillan Company, pp. ix, 311). That, notwithstanding official assertions from Tokyo to the contrary, the new state is really the handiwork of Japan seems to be conceded, even a little boastfully, by Mr. Kawakami when he rejoices in the "great experiment in the reorganization, regeneration, and rejuvenation of an ancient nation long wallowing in chaos and maladministration," adding that "for the first time in history, a non-white race has undertaken to carry the white man's burden, and the white man, long accustomed to think the burden exclusively his own, is reluctant to commit it to the young shoulders of Japan, yellow and an upstart at that." Freely criticizing the Tokyo authorities for not presenting the Japanese case clearly enough at Geneva in the earlier stages of the crisis, and for failing to make the best use of the Lytton Report, the author deplores the "packed jury" with which

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Japan was at all times confronted, whether in the Council, the Assembly, on the Committee of Nineteen; confesses his conviction from far back that Japan would one day retire from the League, "primarily and essentially a European institution;" and offers the interesting prediction that, when Japanese trade, deflected from China by boycotts encouraged by the Western Powers, shall have made deeper incursions into the markets now enjoyed by those Powers, the League's chickens will be found to have "come home to roost." From cover to cover, the book is an *ex parte* interpretation of Japanese policy, particularly as now finding expression in the alleged stabilization of the new political and administrative régime in Manchoukuo. Taken for what it is, however, it forms a welcome addition to the growing literature of the subject.—F. A. O.

Sir Frederick Whyte's *The Future of East and West; An Essay in Surmise* (London, Sidgwick and Jackson, pp. 180; distributed in America by Marion Saunders, New York) contains five readable chapters, of which two are general and three are devoted specifically to India, China, and Japan. The discussion of India is valuable chiefly for its exposition of how much more, and what, will be required to stabilize the relations of East and West in that broad domain than merely a determination of the country's future constitutional position in the British Commonwealth; that on China, for its emphasis upon the extreme uncertainty, notwithstanding the complacent presumptions of westerners in favor of representative democracy, as to the direction which the country's future political development will take; and that on Japan, "the Janus of Asia," for its realistic interpretation of the conflict of forces stirred by the military party's program of empire-building on the mainland. Neither extensive nor profound, the book—essentially that of a journalist-traveller —nevertheless abounds in interesting observations and challenging viewpoints. The same may be said of Paul Hutchinson's *Storm Over Asia* (Henry Holt and Company, pp. 310), a singularly vivid, and on the whole well-informed, portrayal of interests, policies, trends, and prospects in the Far East and India, with two chapters also on the Soviet Union's Asiatic policies and possibilities. Even more pessimistically realistic than Mr. Whyte, Mr. Hutchinson sees the storm-clouds of revolt and war "racing, low, black, and menacing, across the wide reaches of Asia," and hears the rumble of thunder growing closer. But who that knows China, Japan, India, Indo-China, the Dutch East Indies, the Philippines, can deny that there are indeed signs of coming storm? It is not necessary to accept all of the strong assertions, dramatic characterizations, and sweeping conclusions of either Mr. Whyte or Mr. Hutchinson to catch glimpses in their pages of realities which more humdrum books on international affairs seldom suggest.—F. A. O.

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The World Peace Foundation has published *The Verdict of the League; China and Japan in Manchuria* (pp. 102), containing liberal extracts from the official documents, with notes and an introduction by Manley O. Hudson. In his introduction, Professor Hudson rightly says that the rôle of the League in relation to the crisis would be significant "if it did no more than to mark a distinct stage in the attempt to assert a general world-community interest in the peaceful settlement of a single dispute;" whereupon he raises such pointed questions as whether defects have been revealed, and whether mistakes have been made which can be avoided in the future. Writing before Japan announced her decision to withdraw from the League, he considers that, notwithstanding disappointments, the report of the Assembly based on the Lytton investigation and adopted in final form on February 24, 1933, marked "a triumph for the collective handling of international disputes" and "cannot fail to influence the future." In view of all that has occurred, it is difficult, however, to agree with him that "the authority of the League has not been flouted." Perhaps, as he contends, the method of the League "has not failed." But again one finds it difficult to agree at the present juncture that, as a result of the entire experience, that method may be tried again, in another dispute, "with greater confidence and with hope of better results." Whether it shall be so would seem to depend on results of the effort still remaining to be disclosed. The pamphlet as a whole will be found convenient by all students of the subject; as will also another recently issued by the American Council of the Institute of Pacific Relations and entitled *Behind the Far Eastern Conflict* (pp. 45). The latter publication is important chiefly as an analysis of the group—as distinguished from distinctly national—interests involved in the conflict, arguing plausibly that international conflict commonly has its roots in domestic group relationships rather than in the foreign policies of governments which result from these domestic forces.—F.A.O.

In *Italy and the Great War* (Edward Arnold and Company, pp. 382), Antonio Salandra speaks as the man who was prime minister of Italy from March, 1914, to June, 1916, and who for a few months in the autumn of 1914 was foreign minister as well. He presents the diplomatic history of the eleven months from the Sarajevo assassination, through Italy's abandonment of the Triple Alliance, to her entrance into the conflict in alliance with the Entente. A professor of constitutional law, whose experience in office had been mainly in the realm of finance, he was destined to play a significant rôle in international politics. He passes to history tagged with the nationalism of his casually uttered phrase *sacro egoismo*, which, however, was rather realistic than cynical, if taken in its context. He had little patience with preachments of the "duty of intervention in

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the cause of democracy against militarism, for the liberty of oppressed peoples, and such-like windy, nebulous stuff" (p. 287). Though writing for history, he cares little for documentation. This is his personal recollection of men and events. Not a mere apology; but he recognizes his own mistakes. There is discriminating appreciation of the elements of strength and weakness in the colleagues and opponents with whom he was dealing: San Giuliano, Sonnino, Giolitti, D'Annunzio, Bülow, and many others. The chief value of the book, however, lies in the picture of Salandra himself, a man whom Sir Rennell Rodd's foreword characterizes as "of sterling character and well-balanced mind who led his country courageously when many hesitated." Salandra reveals himself when he avows (p. 83) with Machiavelli that in certain situations "one must love one's country more than one's own soul."—HENRY R. SPENCER.

In his *Survey of International Affairs, 1931* (Oxford University Press, pp. viii, 554), Arnold J. Toynbee has departed somewhat from the plan of earlier volumes in this useful series started some ten years ago under the auspices of the Royal Institute of International Affairs. The usual method has been to exclude all treatment of the internal affairs of countries and to deal with international relations, not generally nor yet state by state, but in terms of regional groups. Finding that the distinctive feature of the "annus terribilis 1931" was the confluence of all human affairs—national and international, economic and political, private and public—into a single turbulent stream, the author has for this occasion subordinated the record of particular international transactions under regional heads to "a general narrative of the outstanding events of the year, taken as a whole, in the world, regarded as a unity." A quarter of the volume is therefore devoted to a general survey of the year, followed by a lengthy section, by H. V. Hodson, on the "financial outcome of the post-war years," and another dealing with disarmament and security. Three subjects of regional character, nevertheless, find space before the volume closes: (1) the proposed Austro-German union, (2) southeastern Europe—both considered somewhat briefly—and (3) the Sino-Japanese conflict, which is treated at considerable length. There is also the usual convenient "Chronology of Events," arranged by countries. To summarize a volume of so rich content is manifestly impossible, and it must suffice to say that this most recent *Survey* evidences the careful workmanship and impartial tone which students of international affairs have learned to expect of the series.

From the time of its establishment, ten years ago, the quarterly review *Foreign Affairs*, published by the Council on Foreign Relations, has presented in each successive issue a selected list of recent books dealing with

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international affairs. The wide popularity of the lists has led the Council to plan a more complete and systematized bibliography of the general subject, and *Foreign Affairs Bibliography; A Selected and Annotated List of Books on International Relations, 1919–1932* (Council on Foreign Relations, pp. xvii, 551), compiled by William L. Langer and Hamilton Fish Armstrong, is the happy result. It would have been easy merely to consolidate the forty quarterly lists into a single one. This, however, is not what has been done. Instead, publications of three earlier years have been included; items of minor importance have been dropped out and many new ones added; a more detailed classification has been introduced; and the annotations have been revised and in many instances expanded. Over 7,000 titles are included, arranged under 380 headings. Faced with the necessity of rigorous selection from a bewilderingly vast literature, the compilers have proceeded according to sound principles and appear to have achieved results almost beyond criticism. Individual users will not agree with every choice made, but none will deny that the volume reflects high credit upon American bibliographical scholarship and technique or that it constitutes a reference work of large and permanent value.

To Sherwood Eddy—and perhaps to a good many other people—all the world is challenging. After *The Challenge of Russia* and *The Challenge of the East* comes *The Challenge of Europe* (Farrar and Rinehart, pp. ix, 335). In eight lengthy chapters, Mr. Eddy ranges over the European scene with the eye of an intelligent observer, even if not always with the discriminating discernment of the specialist, coming finally to a chapter specifically on the challenge of Europe to America, which, it appears, arises from the former's "more advanced socialization."

POLITICAL THEORY AND MISCELLANEOUS

The painstaking research displayed in *The Life of John Taylor* (Richmond, The William Byrd Press, pp. 234), by Henry H. Simms, is easily justified because of Taylor's intellectual eminence among his contemporaries. Beveridge described him as the most brilliant and fruitful of Republican intellects. A well-known Virginia historian has characterized the typical Virginian of the school to which Taylor belonged as "one-half practical farmer, one-half classical scholar and lawyer, general and well-mannered." In the first half of his volume, Dr. Simms, by discriminating reference to original manuscripts, to the journals of the Virginia Assembly, and to the Annals of Congress, portrays Taylor's public activities. The latter half is a series of reviews of Taylor's principal political writings. Adams' *Defense of the American Constitution* is answered in Taylor's heavy volume called *An Inquiry into the Principles and Policy of the Government of the United States*, which is described by an able scholar

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as one of the few important systematic studies of American politics. In this book, as brought out by Dr. Simms, Taylor consistently reiterates the principles of popular sovereignty, political equality, division of powers, and religious freedom. A more popular book is the *Arator*, which discusses the agrarian problems of the day, contending that agriculturists are the guardians of liberty, land is the real source of wealth, and the tariff inimical to agricultural interests. *Construction Construed and Constitutions Vindicated* is the peculiar title of Taylor's answer to John Marshall's arguments in McCulloch v. Maryland. Jefferson, as Dr. Simms notes, referred to this volume as the "most effectual retraction of our government to its original principles." Marshall's logic is met by logic equally irresistible. Taylor devotes attention to the "necessary and proper," the "supremacy," and the taxing clauses of the Constitution. He contends, for example, that the only exception under the Constitution to the states' power to tax is the prohibition to tax exports and imports. "Certainly in the case of a clash between an implied federal power (incorporating a bank and exempting its resources from taxation) and a positive state power (that of taxation not forbidden), the former could not abrogate the latter under any pretext whatsoever." *Tyranny Unmasked*, as Dr. Simms states, is as powerful and comprehensive an attack upon the protective tariff system as can be found in American history. Taylor's fifth and last book on politics, called *New Views on the Constitution*, is an extensive discussion in favor of decentralized government. In fact, it proved an arsenal from which the more popular orators and writers who defended states' rights drew their arguments. The author modestly criticizes Taylor for his tendency to repeat. Taylor admits that his writing is "wild, desultory, and careless." Historians and students of American political theories are indebted to Dr. Simms for overcoming these obstacles, and for presenting in a scholarly and readable form the political principles of the "philosopher of Jeffersonian democracy."—JAMES E. PATE.

Liberalism in the South (University of North Carolina Press, pp. xix, 456), by Virginius Dabney, is the product of a southerner who has obviously devoted considerable time and study to the development of liberal thought in the South. He has used a large amount of material garnered from the newspapers and periodicals of the South, and his bibliography is of great value. The author is very careful to define liberalism, in the statement of Lord Morley, as "respect for the dignity and worth of the individual." He traces liberalism historically, as shown in religion, education, literature, politics, and the attitude toward the negro, from the era of Jefferson to the period of the New South. Mr. Dabney, although a southerner, does not at times hesitate to show the South to a disad-

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vantage. The book is neither a defense nor an apology, but an impartial study. On the one hand, he shows that the old régime, in which southern planters lived in white pillared mansions was, in most sections, highly mythical. He also clearly shows the true attitude of the South in the election of 1928, even though his interpretation is contrary to the opinion of many southerners. On the other hand, he gives credit where credit is due and shows how many southerners have labored for the development of liberal thought. Many individuals with liberal tendencies are briefly mentioned in the book, and the reader is left in a somewhat confused state, for he can hardly determine the relative contributions of these different persons. It is true that the book will be condemned by some southerners and praised by others, but, irrespective of either praise or condemnation, it remains a valuable historical study of the development of liberal thought in the South.—ROBERT S. RANKIN.

The eighteenth annual volume of the widely-used and ever-welcome *American Year Book* (American Year Book Corporation, pp. xxv, 947), edited by Albert Bushnell Hart and William M. Schuyler, covers "events and progress" in the year 1932. One notes no significant departures in plan from preceding volumes, although, as the editors comment, the volume is naturally colored by the unusual character of the relations of government with private and corporate activities during a year of "anxiety, distress, and lack of confidence." The first 313 pages, devoted more particularly to the political history, international relations, and governmental functionings of the year, number among their contributors Professors Roy V. Peel, James Hart, George C. S. Benson, Lloyd M. Short, Thomas Reed Powell, Frederic A. Ogg, Irving Fisher, John M. Mathews, Milton Conover, Paul W. Wager, and a long list of officers and experts connected with national, state, and municipal departments, bureaus, and research agencies. As a rule, articles, summaries, and lists have been prepared with due care, and furnish the information that the inquirer is most likely to want. Limitations of space frequently operate, however, to reduce the treatment of very large subjects to so meager an outline that much of the value is lost. For the record of federal legislation, for example, only four pages are allowed; for that of Supreme Court decisions, the same. As for the larger portion of the volume devoted to a wide and miscellaneous range of matters, one may be permitted once more to inquire by what process of elimination the list of "philosophical and social sciences," treated in Division XXIV, is restricted to philosophy, psychology, sociology, anthropology and ethnology, and "mental tests," with no mention of the American Political Science Association, the American Economic Association, or the American Historical Association even in the appended roster of "cognate societies and research institutions." The proof-reading also leaves something to be desired.

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The ultimate objectives and theoretical feasibility of production control on a large scale have been subjects of discussion among Americans interested in "stabilization" and "planning." In a stimulating introduction to *Cartels, Concerns, and Trusts* (E. P. Dutton and Company, pp. xxix, 379), by Robert Liefmann, D. H. Macgregor pays some attention to these matters. On the whole, however, he and Dr. Liefmann are more concerned with current opinion and practice in the every-day life of industrial England and Germany. In America, all types of capitalist organizations approaching monopoly are limited by statute; in England, protected by competition on an international market and free trade, combinations have been allowed to operate within the wide limits developed by the common law; in Germany, since the seventies, combinations, and particularly cartels, have been encouraged by government. In Dr. Liefmann's opinion, enterprise and inventiveness have not been discouraged by the cartel. A sufficient stimulus to progress is said to have come from the pressure of "potential competition," the competition of alternative commodities, foreign competition, and individual ambition. Again, in Dr. Liefmann's opinion, the ultimate consumer has not suffered by the activity of the cartels. One gathers from the study that enterprise and inventiveness and protection to the consumer have perhaps been preserved, if so, largely because of the limits on the effectiveness of the cartel in controlling its markets, and so stabilizing its operations. Selling on both its domestic and its foreign market in competition with other European producers, and to manufacturers competing with other European producers, the cartel appears to require considerable aid from tariffs. While Dr. Liefmann gives instances of effectively controlled prices, his study indicates at every turn, and particularly in its discussion of tariff policy, the effectiveness of threatened and actual European competition in limiting both the ill effects and good effects of organization.—MALCOLM SHARP.

"An introduction to the sociology of the Great Society" is Professor Herbert A. Miller's description of his recent study, *The Beginnings of Tomorrow* (D. C. Heath and Company, pp. xii, 310). It is the author's belief that peoples as well as individuals have developed specialized interests and aptitudes. Once widely separated by physical barriers, these peoples now find themselves, thanks to modern scientific discoveries, in a closely interdependent world, and the inevitable result is "the prospect of a new society in which moral codes, philosophy of life, and habits developed under widely different conditions in isolated evolutions are suddenly coming together to form a cosmopolitan unit." A new civilization of the world is thus in process of formation, and it behooves the sociologist to forsake his microscope and take to the telescope. The pres-

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ent volume is a contribution in the form of a rapid survey of Asiatic social and political problems and prospects. Perhaps it is the influence of the telescopic method that leads the author to explain some of the complicated aspects of these problems by the "gargantuan drive of the Cosmic Process which no one guides and from which no one can escape."—GRAYSON L. KIRK.

A "period history" of rather unusual excellence is Joseph Ward Swain's *Beginning the Twentieth Century; A History of the Generation that Made the War* (W. W. Norton and Company, pp. xi, 631)—unusual in that, though a history, the author is no slave to chronology; unusual also in that the volume is written in a decidedly lucid and pleasing style. Eight chapters portray the nations of Europe as they were during the generation preceding the World War; nine treat of international relations during the same period; ten tell the story of the war and of earlier post-war diplomacy; one sketches lightly the tremendous subject of "liquidating the war," the work really closing, to all intents and purposes, with the Treaty of Versailles. As a history not simply of the war, but of "the generation that made the war," the volume leaves little to be desired, except perhaps documentation, which presumably was omitted with a view to greater readableness. It is the author's opinion that we are better informed today about the background of the World War than about any other period in history.

Twelve papers and addresses of the late Frederick J. Turner have been assembled and published by Dr. Max Farrand under the title of *The Significance of Sections in American History* (Henry Holt and Company, pp. ix, 347). Half of the number deal with various aspects of sectionalism in this country, which was Professor Turner's major interest; the remainder, with sundry matters, including a valuable discussion of Western state-making in the Revolutionary era. No one has studied the nature and significance of sectionalism in the United States as thoroughly as Professor Turner, and though the present essays do not constitute a fully rounded treatment of the subject, they will serve as a basis from which all future inquiries will proceed. The question of whether sectionalism is "dying away" is, no doubt rightly, answered in the negative; from which flows the conclusion: "We must shape our national action to the fact of a vast and varied Union of unlike sections."

The second and concluding volume of James Truslow Adams' *The March of Democracy* (Charles Scribner's Sons, pp. xix, 438) bears the subtitle "From Civil War to World Power" and carries the fascinating narrative begun in the first volume from 1860 through the presidential election of 1932. The book is one of accurate scholarship, but frankly in-

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tended for the general reader, being entirely devoid of documentation and bibliography but extraordinarily rich in cartoons, photographs, facsimiles, and other illustrations. Taking the work as a whole for what it purports to be, the only thing about it with which one may perhaps find fault is its somewhat florid title.

The most recent addition to the new edition of the works of Lenin now being brought out by the International Publishers, of New York City, is *State and Revolution* (pp. 101), a pamphlet written immediately before the outbreak of the October Revolution in 1917. The work, already familiar to all students of political thought, is an exposition of Marxist theory of the state and a vigorous polemic against the revisionists and opportunists. The new edition is attractively printed.

Introductory Sociology (Charles Scribner's Sons, pp. x, 516), a text-book prepared by Robert C. Angell and Lowell J. Carr, largely from the writings of the late Charles H. Cooley, contains a number of chapters on public opinion, social classes, the community, and regions and states which will be of some interest to political scientists. All of these subjects except the first, however, are dealt with only briefly.

Frederick L. Nussbaum's *A History of the Economic Institutions of Modern Europe* (F. S. Crofts and Company, pp. xvi, 448) is an attractively printed text-book aiming frankly to present the synthesis of European economic history embodied in Werner Sombart's *Der Moderne Kapitalismus*, and drawing a large part of its substance from that monumental work.

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AMERICAN GOVERNMENT AND PUBLIC LAW

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